

**AGENDA**

**for the Board of Trustees of the Town of Fairplay, Colorado**  
**Monday, June 5, 2017 at 6:00 p.m. at the Fairplay Town Hall Meeting Room**  
**901 Main Street, Fairplay, Colorado**

- I. 6:00 P.M. - Site Visits at 249 U S Hwy 285, 1151 Bullet Road and 1101 Meadow Drive**
- II. CALL TO ORDER WORK SESSION @ 6:30 P.M. – CDOT – TPR Meeting Update**
- III. CALL TO ORDER REGULAR MEETING @ 7:00 P.M.**
- IV. PLEDGE OF ALLEGIANCE**
- V. ROLL CALL**
- VI. APPROVAL OF AGENDA**
- VII. CONSENT AGENDA** *(The Consent Agenda is intended to allow the Board to spend its time on more complex items. These items are generally perceived as non-controversial and can be approved by a single motion. The public or the Board Members may ask that an item be removed from the Consent Agenda for individual consideration.)*
  - A. APPROVAL OF MINUTES – May 1, 2017**
  - B. APPROVAL OF EXPENDITURES – Approval of bills of various Town Funds in the amount of \$55,245.79**
- VIII. CITIZEN COMMENTS**
- IX. PUBLIC HEARINGS**
  - A. CONTINUED - Should the Board Approve Adoption of Resolution No. 6, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR LINDA PLUE."?**
  - B. Should the Board Approve Adoption of Resolution No. 10, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR STAN KOPUNEC."?**
  - C. Should the Board Approve Adoption of Resolution No. 11, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR COLORADO NATURAL GAS."?**
  - D. Should the Board Approve Adoption of Resolution No. 12, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR PETE WERNER."?**
- X. UNFINISHED BUSINESS**
  - A. Other Discussion Items**
- XI. NEW BUSINESS**
  - A. Should the Board Approve Adoption of Resolution No. 13, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A PROPERTY IMPROVEMENT**

**This Agenda May Be Amended.**

*Posted at Fairplay Town Hall, Fairplay Public Library, Fairplay Post Office, and Town of Fairplay Website on Thursday, June 1, 2017*

**INCENTIVE PROGRAM (PIIP) AGREEMENT BETWEEN THE TOWN AND DALE FITTING FOR THE HAND HOTEL SIDING REPLACEMENT PROJECT.”?**

- B. Should the Board Approve Adoption of Resolution No. 14, series of 2017, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF AN ENHANCED SALES TAX INCENTIVE PROGRAM (ESTIP) AGREEMENT BETWEEN THE TOWN AND MIKE FRIEDRICH FOR THE DEPOT PROJECT.”?**
- C. Should the Board Approve Adoption of Resolution No. 15, series of 2017, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A CONTRACT WITH PAVEMENT MAINTENANCE SERVICES, INC FOR WORK TO BE PERFORMED IN THE TOWN OF FAIRPLAY, COLORADO.”?**
- D. Discussion/ Direction Regarding Referral Response Request from Park County Planning Department for High-Speed Aggregate Rezoning Application**
- E. Other New Business**

**XII. MAYOR AND TRUSTEE REPORTS**

**XIII. ADJOURNMENT**

**Upcoming Meetings/Important Dates:**

Contin-Tail Fairplay Rock & Gem Show	June 8 – 11, 2017
South Park Trail Marathon & Half Marathon	June 10, 2017
Board of Trustees Meeting	June 19, 2017 @ 7 p.m.
TGIFairplay Free Concert on Front Street w/ Split Window, Beach Party & Pig Roast	June 23, 2017 @ 6 p.m.
South Park Settler's Day @ South Park City Museum	June 24, 2017
Independence Day Celebration in Fairplay w/ Richie Law Concert & Fireworks	July 4, 2017 from 11 a.m. to 10 p.m.
Sheep Mountain 50 Mile Endurance Run	July 8, 2017
Park County Fair	July 12 – 16, 2017
Board of Trustees Meeting	July 17, 2017 @ 7 p.m.
South Park Throw Down (3 <sup>rd</sup> Annual)	July 22, 2017
TGIFairplay Free Concert on 5 <sup>th</sup> Street w/ Ronnie Raygun & the Big 80s Band	July 28, 2017 @ 6 p.m.
Burro Days (69 <sup>th</sup> Annual)	July 28 – 30, 2017

**This Agenda May Be Amended.**

*Posted at Fairplay Town Hall, Fairplay Public Library, Fairplay Post Office, and Town of Fairplay Website on Thursday, June 1, 2017*

**MINUTES OF THE REGULAR MEETING OF THE  
FAIRPLAY BOARD OF TRUSTEES  
May 1, 2017**

**SITE VISITS AT 411 US HWY 285, 1181 BULLET ROAD AND 298 SIXTH STREET**

The Board of Trustees for the Town of Fairplay met at 5:00 p.m. at the Fairplay Town Hall, 901 Main Street and left from there for the first site visit. Those present were Mayor Pro Tem Frank Just, Trustees Scott Dodge, Eve Stapp and Ray Douglas. Also present were Town Administrator/ Clerk Tina Darrah, Public Works Director Vaughn Mead, Town Planner Ron Newman and Deputy Town Clerk Claudia Werner.

At 5:09 p.m. the group met at Calamity's Cabin located at 411 U S Hwy 285, Fairplay, Colorado. Town Planner Newman gave a general overview of the Special Use Permit application submitted by the owner, Linda Plue. The Board conducted a visual inspection of the container located on the subject property.

At 5:15 p.m. the group met at 1<sup>st</sup> American Woodcrafters located at 1181 Bullet Road, Fairplay, Colorado. Town Planner Newman gave a general overview of the Special Use Permit application submitted by the owner, Raymond Lapalme. The Board conducted a visual inspection of the container located on the subject property.

At 5:23 p.m. the group met at South Park Seniors located at 298 Sixth Street, Fairplay, Colorado. Town Planner Newman gave a general overview of the Variance application submitted by the owner's representative, Larry Foster. The Board conducted a visual inspection of the existing structure and discussed the demolition of the southwest end of the building and the construction of a 864 square foot addition proposed for the subject property.

**CALL TO ORDER REGULAR MEETING OF THE BOARD OF TRUSTEES**

The regular meeting of the Board of Trustees for the Town of Fairplay was called to order at 6:00 p.m. in the Council Chambers located in the Fairplay Town Hall, 901 Main Street, by Mayor Pro Tem Frank Just who proceeded with the pledge of allegiance, followed by the roll call which was answered by Trustees Scott Dodge, Eve Stapp and Ray Douglas. Also in attendance were Town Attorney Lee Phillips, Town Administrator/ Clerk Tina Darrah, Public Works Director Vaughn Mead, Town Planner Ron Newman, Town Treasurer Kim Wittbrodt, Deputy Town Clerk Claudia Werner and Special Events Coordinator Julie Bullock. Mayor Gabby Lane was absent.

**AGENDA ADOPTION**

**Motion #1** by Trustee Stapp, seconded by Trustee Douglas, that the agenda be adopted as presented. Motion carried unanimously. (Mayor Lane was absent.)

**CONSENT AGENDA** (*The Consent Agenda is intended to allow the Board to spend its time on more complex items. These items are generally perceived as non-controversial and can be approved by a single motion. The public or the Board Members may ask that an item be removed from the Consent Agenda for individual consideration.*)

- A. **APPROVAL OF MINUTES** – April 17, 2017
- B. **APPROVAL OF EXPENDITURES** – Approval of bills of various Town Funds in the amount of \$33,990.24.

**Motion #2** by Trustee Dodge, seconded by Trustee Stapp, that the consent agenda be adopted as presented. A roll call vote was taken: Dodge- yes, Stapp – yes, Douglas – yes, Just - yes. Motion carried unanimously. (Mayor Lane was absent.)

**CITIZEN COMMENTS**

No citizen comments were offered.

**PUBLIC HEARINGS**

Town Administrator/ Clerk Darrah stated for the record that the Board conducted site inspections of all three properties on the agenda under Public Hearings. These site inspections were conducted at 5:00 p.m. today.

- A. Should the Board Approve Adoption of Resolution No. 6, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR LINDA PLUE."?

Public hearing opened at 6:06 p.m. by Mayor Pro Tem Just.

Town Planner Newman presented the Special Use Permit Application for the applicant, Linda Plue, and stated that the application appears to be in substantial compliance with the Fairplay Comprehensive Plan.

The owner of 411 U S Hwy 285, Linda Plue, was not able to attend this hearing because of a recent accident.

There were no comments in favor of or in opposition to this application.

The Board discussed their options in regards to the Special Use Permit application and decided that they would like the applicant present before they reach a decision.

**Motion #3** by Trustee Dodge, seconded by Trustee Douglas, that the Board continue this hearing until the next regular meeting set for June 5, 2017 at 7:00 p.m. Motion carried unanimously. (Mayor Lane was absent.)

- B. Should the Board Approve Adoption of Resolution No. 7, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR 1<sup>ST</sup> AMERICAN WOODCRAFTERS."?

Public hearing opened at 6:19 p.m. by Mayor Pro Tem Just.

Town Planner Newman presented the Special Use Permit Application for the applicant, 1<sup>st</sup> American Woodcrafters, and stated that the proposal appears to be in substantial compliance with the Fairplay Comprehensive Plan. He also stated that the UDC states that signage should be taken under consideration as criteria for approval or denial.

Raymond Lapalme, owner of 1<sup>st</sup> American Woodcrafters, was available to answer Board questions.

There were no comments in favor of or in opposition to this application.

Public hearing was closed at 6:31 p.m. by Mayor Pro Tem Just.

The Board discussed the Special Use Permit application, the containers location on the property and the signage on the container and decided to grant conditional approval. The conditions are to be that the Special Use Permit does not run with the land, the approval is for the existing container only and no signage shall be permitted on the container, so the container will need to be painted a uniform color that is compatible with the existing structure.

**Motion #4** by Trustee Douglas, seconded by Trustee Dodge, that the Board approve adoption of Resolution No. 7, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR 1<sup>ST</sup> AMERICAN WOODCRAFTERS" with conditions. Motion carried unanimously. (Mayor Lane was absent.)

- C. Should the Board Approve Adoption of Resolution No. 8, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A VARIANCE FOR SOUTH PARK SENIORS, INC."?

Mayor Pro Tem Just recused himself from this agenda item.

Public hearing opened at 6:44 p.m. by Trustee Douglas.

Town Planner Newman presented the Variance Application for the applicant, South Park Seniors, and stated that he believes this variance is in the best interest of the public and will clean up existing outdoor storage on the property. He went on to say that the application is in substantial compliance with the Fairplay Comprehensive Plan.

Larry Foster, President of the South Park Seniors, was available to answer Board questions and give a brief history of their organization and the services they provide to the community.

Trustee Douglas read a letter of support for the Variance application that was submitted by Kenny Shaw from the South Park Community Church. There were no comments in opposition to this application.

Public hearing was closed at 7:09 p.m. by Trustee Douglas.

The Board discussed the Variance application, the current and proposed lot coverage and the current and proposed location of the dumpster at this property. Larry Foster stated the dumpster would not be within the sight triangle after the proposed construction is completed.

**Motion #5** by Trustee Stapp, seconded by Trustee Dodge, that the Board approve adoption of Resolution No. 8, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A VARIANCE FOR SOUTH PARK SENIORS, INC. Motion carried unanimously. (Mayor Lane was absent.)

**UNFINISHED BUSINESS**

- A. Other discussion items

No other discussion items were offered.

**NEW BUSINESS****A. Discussion/ Direction Regarding Request for Fee Waiver from South Park Seniors, Inc for a Variance**

Town Administrator/ Clerk Darrah presented the request submitted by Roy Jackson on behalf of the South Park Seniors, Inc for a fee waiver of the \$100 variance fee for the variance request. She stated that staff has no objection to this fee waiver and the funds could come out of either the donation line item or the Board benevolence line item.

**Motion #8** by Trustee Dodge, seconded by Trustee Stapp, that the Board Approve a \$100 donation to the South Park Seniors to cover the cost of their variance application fee. A roll call vote was taken: Dodge- yes, Stapp – yes, Douglas – yes, Just - yes. Motion carried unanimously. (Mayor Lane was absent.)

**B. Discussion/ Direction Regarding Request for Fee Waiver from South Park Seniors, Inc for a Building Permit**

Town Administrator/ Clerk Darrah presented the request submitted by Larry Foster on behalf of the South Park Seniors, Inc for a fee waiver of the \$712.80 building permit fee for the addition they are proposing to build at the Senior Center. She stated that staff does not recommend full waiver of these fees because staff will spend a considerable amount of time performing building inspections for the demolition and construction of the addition at the Senior Center property.

Attorney Lee Phillips agreed to pay \$312.80 of the Senior Center building permit fees, Frank Just stated that his company, Betone, LLC would pay \$300.00 of the permit fees and Scott Dodge agreed to pay the remaining \$100.00 of the permit fees.

**C. Should the Board Approve Adoption of Resolution No. 9, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZAING THE EXECUTION OF A PROPERTY IMPROVEMENT INCENTIVE PROGRAM (PIIP) AGREEMENT BETWEEN THE TOWN AND MAC AND LUJO CHURCHILL FOR THE DEPOT ROOF REPLACEMENT PROJECT."?**

Town Administrator/ Clerk Darrah stated that this resolution approves an agreement with Mac and LuJo Churchill for the Depot Roof Replacement Project. Staff reviewed the application and has found it in compliance with the PIIP rules and regulations. The application is for \$3,214 towards exterior improvements, namely the replacement of the roof at 601 Main Street, although landscaping work is also planned for this property. The estimated cost of the roof replacement is \$12,500. Staff recommends approval of this highly visible project. The property will be home to a new retail art gallery and will be applying for an ESTIP agreement before they open.

**Motion #9** by Trustee Douglas, seconded by Trustee Stapp, the the Board Approve Adoption of Resolution No. 9, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZAING THE EXECUTION OF A PROPERTY IMPROVEMENT INCENTIVE PROGRAM (PIIP) AGREEMENT BETWEEN THE TOWN AND MAC AND LUJO CHURCHILL FOR THE DEPOT ROOF REPLACEMENT PROJECT." A roll call vote was taken: Dodge- yes, Stapp – yes, Douglas – yes, Just - yes. Motion carried unanimously. (Mayor Lane was absent.)

**D. Other new business**

Town Administrator/ Clerk Darrah presented a PIIP application from Dale Fitting, owner of the Hand Hotel, for a residing project. The applicant is requesting \$5,708 for the project. Staff did not receive the application in time to place it on this agenda but felt it was important to inform the Board that it would be on the June 5<sup>th</sup> agenda. Also, the applicant would like a waiver, allowing him to start the project prior to formal approval of the PIIP Agreement as his contractors are able to start his project prior to the June 5<sup>th</sup> meeting.

The Board discussed the application and stated that they would allow Fitting to start the residing project and place this item on the June 5<sup>th</sup> agenda for formal approval.

**MAYOR AND TRUSTEE REPORTS**

Trustee Dodge stated that he would like to start scheduling more Board work sessions to do planning for growth in Town, work on a camping ordinance, and regarding the CDOT Bustang program. He also reported that he and Trustee Douglas attended the BOCC Commish with a Dish for the Alma and Fairplay residents and he likes that forum.

Trustee Douglas and Mayor Pro Tem Just stated that they feel that it can be challenging to get community input and involvement. Town Administrator/ Clerk Darrah stated that the members of the Board can schedule one on one sit downs with community members that have concerns they'd like to discuss. She went on to say that this could be done in an informal setting, perhaps at a local coffee shop. Work sessions could start in the fall after the Town's event season wraps up because the Board members are very visible to the public at these events and do hear their concerns during events.

Trustee Douglas stated that he wants to see code enforcement geared up now that spring is here. Town Administrator/ Clerk Darrah stated that the Public Works and Police Departments are working on putting together a list of properties that need attention and will contact those property owners prior to Town Clean Up Days.

Trustee Dodge stated that he would like the Board to recognize Scott Bullock for doing the Burro Days artwork every year.

**STAFF AND COMMITTEE REPORTS**

Town Planner Newman provided an update on the Special Use Permit applications for storage containers located in various places around Town. He stated that one of them was approved tonight and the other five application should be on the June 5<sup>th</sup> Board agenda.

Public Works Director Mead provided a written staff report that included updates on the Public Works Special Project/ Work Plan for 2017. He also offered an update on the street and drainage project and stated that he believes it will come in at \$104,000, to include street overlay on all identified areas. A priority spreadsheet for street and drainage planning will be presented to the Board in the next Public Works staff report.

Mayor Pro Tem Just stated that Front Street is in dire need of seal coat this year and both Eighth Street and Castello Avenue will need seal coat next year. He will provide the Town staff with names of companies that do seal coating.

Trustee Dodge inquired about the progress of pothole filling throughout Town and stated it seems especially important on Sixth Street near the school.

Town Administrator/ Clerk Darrah stated that there is a CDOT TPR meeting scheduled for May 22<sup>nd</sup> at 10 a.m. and it will be held here at Town Hall. She went on to say that she and Special Events Coordinator Bullock would be taking some time off in May but they'd both be back prior to the start of the June events.

Special Events Coordinator Bullock provided a written staff report to update the Board on several items within the 2017 Special Projects/ Work Plan for Special Events, Marketing, Visitor Center, etc. She was available to answer any questions the Board might have regarding her report.

Trustee Dodge asked where the newly purchased tables would be stored when not in use. Special Events Coordinator Bullock stated that she is working this out with the Gerrits Kasper in the Public Works Department. Larry Foster with the South Park Seniors stated that the Seniors may be selling their enclosed trailer after their upcoming construction project is complete.

Trustee Dodge asked for better signage for the Rock and Gem Show this year. Mayor Pro Tem Just stated that he has fold up signs used for traffic control that the Town may use if needed.

Town Administrator/ Clerk Darrah announced that Freddy Dodge and the other Gold Rush miners are sponsoring a community dinner/ party on June 9<sup>th</sup>. The Town staff, especially Special Events Coordinator Bullock, is helping the Gold Rush team work out all of the details of the party and they have said that they would like to provide free dinner for all South Park residents.

Mayor Pro Tem Just asked Special Events Coordinator Bullock if the Town is ready for the 2017 event season and Bullock said yes.

**ADJOURNMENT**

Mayor Pro Tem Just, noting that there being no further business before the Board, declared that the meeting be adjourned at 8:07 p.m.

\_\_\_\_\_  
Gabby Lane, Mayor

ATTEST:

\_\_\_\_\_  
Claudia Werner, Deputy Town Clerk



## MEMORANDUM

**TO:** Mayor and Board of Trustees  
**FROM:** Kim Wittbrodt, Treasurer  
**RE:** Current Bills & Financial Statement  
**DATE:** 6/1/2017

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Agenda Item: Bills

Attached is the list of invoices paid through May 31, 2017.

Total Expenditures: \$55,245.79

Upon motion to approve the consent agenda, the expenditures will be approved.

Please contact me with any questions.

Report Criteria:  
Detail report type printed

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
05/02/2017	12595	Caselle, Inc	Software Support	1	04/01/2017	219.75	507360
05/02/2017	12595		Software Support	2	04/01/2017	219.75	617360
05/02/2017	12595		Software Support	3	04/01/2017	438.50	105060
Total 334:						878.00	
05/17/2017	12640	CIRSA	worker comp audit premiu	1	05/08/2017	1,203.00	105614
05/17/2017	12640		worker comp audit premiu	2	05/08/2017	1,203.00	105414
Total 418:						2,406.00	
05/11/2017	12621	Fairplay Flume	ads	1	04/30/2017	175.00	105130
05/11/2017	12621		ads	2	04/30/2017	115.34	106123
05/11/2017	12621		ads	3	04/30/2017	93.80	105630
05/11/2017	12621		ads	4	04/30/2017	46.90	507160
05/11/2017	12621		ads	5	04/30/2017	46.90	617305
Total 868:						477.94	
05/02/2017	12602	Main Street Garage	Tahoe maintenance	1	04/27/2017	110.03	105420
Total 1336:						110.03	
05/17/2017	12645	Mountain States Lighting	parts for planters	1	05/05/2017	1,259.75	105134
Total 1402:						1,259.75	
05/11/2017	12624	Mountain View Waste	2 yd 2 monthly	1	04/30/2017	75.00	617167
Total 1414:						75.00	
05/11/2017	12626	Postal Pros Southwest, Inc	water billing	1	05/04/2017	181.82	507310
05/11/2017	12626		water billing	2	05/04/2017	136.66	617310
Total 1699:						318.48	
05/17/2017	12646	Rocky Mountain Rural Heal	legal health service plan	1	05/16/2017	1,006.20	105110
Total 1816:						1,006.20	
05/11/2017	12630	Summit Daily News	help wanted ads	1	04/30/2017	298.54	105630
05/11/2017	12630		help wanted ads	2	04/30/2017	149.27	507160
05/11/2017	12630		help wanted ads	3	04/30/2017	149.27	617305
Total 2032:						597.08	
05/11/2017	12633	Town of Fairplay	sewer-shop	1	04/30/2017	65.00	507390
05/11/2017	12633		sewer-shop	2	04/30/2017	65.00	105850
05/11/2017	12633		water/sewer usage-525 Ha	1	04/30/2017	177.05	105190
05/11/2017	12633		water-san district	1	04/30/2017	36.00	617104
05/11/2017	12633		sewer-town hall	1	04/30/2017	65.00	105023
Total 2134:						408.05	



Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
05/11/2017	12635	USABlueBook	probe	1	04/27/2017	627.91	617140
05/11/2017	12635		meter	1	05/02/2017	1,181.21	617155
Total 2176:						1,809.12	
05/02/2017	12605	Utility Notification Center	RTL Transmissions	1	04/30/2017	30.45	507230
05/02/2017	12605		RTL Transmissions	1	04/30/2017	31.90	617340
Total 2194:						62.35	
05/02/2017	12606	Verizon Wireless	Police Air Cards	1	05/01/2017	120.03	105455
Total 2212:						120.03	
05/31/2017	12662	Werner, Claudia	cell phone reimb	1	05/31/2017	50.00	105065
Total 2242:						50.00	
05/02/2017	12608	Xcel Energy	945 quarry road	1	04/13/2017	14.30	507185
05/02/2017	12608		901 main	1	04/19/2017	164.36	105023
05/02/2017	12608		747 bogue	1	04/19/2017	10.54	105841
05/02/2017	12608		1800 city road 659	1	04/19/2017	599.62	507390
05/02/2017	12608		fairplay chlorinator	1	04/19/2017	96.17	507390
05/02/2017	12608		117 silverheels	1	04/19/2017	10.54	105841
05/02/2017	12608		fairplay sign #1	1	04/19/2017	10.95	105840
05/02/2017	12608		525 hathaway	1	04/19/2017	121.51	105190
05/02/2017	12608		sanitation	1	04/24/2017	3,928.76	617104
05/11/2017	12637		1190 bogue	1	04/25/2017	133.97	507390
05/11/2017	12637		1190 bogue	2	04/25/2017	133.98	105650
05/11/2017	12637		200 2nd street	3	04/25/2017	28.91	507390
05/11/2017	12637		157 6th street	4	04/25/2017	117.69	105640
05/11/2017	12637		156 5th street	5	04/25/2017	10.54	105640
05/11/2017	12637		589 platte drive	6	04/25/2017	13.18	105841
05/11/2017	12637		street lights	1	05/01/2017	752.28	105640
Total 2296:						6,145.30	
05/11/2017	12625	Newman Planning Inc.	planning	1	04/30/2017	557.25	105105
Total 2315:						557.25	
05/11/2017	12634	True Value	Supplies	1	04/25/2017	38.74	105134
05/11/2017	12634		Supplies	2	04/25/2017	12.16	617155
05/11/2017	12634		Supplies	3	04/25/2017	81.95	105630
05/11/2017	12634		Supplies	4	04/25/2017	3.99	617150
05/11/2017	12634		Supplies	5	04/25/2017	23.04	617150
05/11/2017	12634		Supplies	6	04/25/2017	37.99	105025
05/11/2017	12634		Supplies	7	04/25/2017	59.99	617303
05/11/2017	12634		Supplies	8	04/25/2017	51.74	105027
05/11/2017	12634		Supplies	9	04/25/2017	119.84	105170
Total 2405:						429.44	
05/02/2017	12600	KONICA MINOLTA BUSIN	C364E Copier	1	04/17/2017	397.66	105032
Total 2448:						397.66	

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
05/31/2017	12660	Darrah, Tina	Cell Phone	1	05/31/2017	50.00	105065
Total 2462:						50.00	
05/11/2017	12614	AmeriGas	Propane	1	04/30/2017	374.77	507103
Total 2468:						374.77	
05/17/2017	12643	Goldstar Products Inc.	chemicals	1	03/07/2017	1,469.96	617155
Total 2471:						1,469.96	
05/11/2017	12616	CARD SERVICES	postage	1	05/01/2017	24.50	105035
05/11/2017	12616		postage	2	05/01/2017	24.50	105340
05/11/2017	12616		postage	3	05/01/2017	14.79	617310
05/11/2017	12616		printer	4	05/01/2017	301.30	617303
05/11/2017	12616		training	5	05/01/2017	192.00	617050
05/11/2017	12616		logo registration	6	05/01/2017	10.00	105140
05/11/2017	12616		supplies	7	05/01/2017	23.59	105445
05/11/2017	12616		web hosting	8	05/01/2017	14.99	105184
05/11/2017	12616		web hosting	9	05/01/2017	14.99	105172
05/11/2017	12616		postage	10	05/01/2017	50.13	105035
05/11/2017	12616		supplies	11	05/01/2017	32.35	105030
05/11/2017	12616		tablecloths	12	05/01/2017	91.80	105150
05/11/2017	12616		tablecloths	13	05/01/2017	30.60	105171
05/11/2017	12616		tablecloths	14	05/01/2017	30.60	105162
05/11/2017	12616		tablecloths	15	05/01/2017	30.60	105164
05/11/2017	12616		supplies	16	05/01/2017	20.00	105164
05/11/2017	12616		training	17	05/01/2017	73.17	105426
05/11/2017	12616		supplies	18	05/01/2017	10.99	105445
05/11/2017	12616		training	19	05/01/2017	135.00	105635
05/11/2017	12616		training	20	05/01/2017	272.40	507050
05/11/2017	12616		training	21	05/01/2017	70.00	617050
Total 2503:						1,468.30	
05/11/2017	12619	Even in the End	goldschlager for event	1	05/10/2017	160.00	105170
Total 2572:						160.00	
05/11/2017	12615	Business Ink, Co.	Posters for public hearings	1	04/26/2017	378.25	105030
Total 2590:						378.25	
05/02/2017	12596	CenturyLink	alarm line-525 Hathaway	1	04/19/2017	35.65	105190
05/02/2017	12596		7198362445	1	04/19/2017	120.57	617320
05/02/2017	12596		7198362622355B	1	04/19/2017	446.65	105065
05/02/2017	12596		acct 719-836-4609 502B	1	04/19/2017	54.26	507320
05/02/2017	12596		7198362622	1	04/23/2017	42.34	105065
Total 2614:						699.47	
05/17/2017	12647	Wave Electric inc.	electric repair	1	03/29/2017	180.00	105682
05/17/2017	12647		electric repair	1	04/20/2017	75.00	105682
Total 2637:						255.00	

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
05/02/2017	12607	Wittbrodt, Kim	cleaning supplies	1	05/02/2017	40.22	105027
05/31/2017	12663		cell phone reimb	1	05/31/2017	50.00	105065
Total 2655:						90.22	
05/02/2017	12599	ICMA Retirement Corporati	plan fee	1	04/06/2017	62.50	105002
05/02/2017	12599		plan fee	2	04/06/2017	12.50	105302
05/02/2017	12599		plan fee	3	04/06/2017	62.50	105602
05/02/2017	12599		plan fee	4	04/06/2017	56.25	507002
05/02/2017	12599		plan fee	5	04/06/2017	56.25	617002
Total 2686:						250.00	
05/11/2017	12628	South Park Shell	ESTIP 1st QTR	1	04/30/2017	2,727.00	105076
Total 2726:						2,727.00	
05/11/2017	12636	Vin-Mak. LLC	1st QTR ESTIP	1	04/30/2017	2,308.50	105076
Total 2727:						2,308.50	
05/11/2017	12618	Colorado Natural Gas, Inc.	525 hathaway	1	05/02/2017	214.58	105180
05/11/2017	12618		sewer treatment plant	1	05/02/2017	1,567.91	617104
05/11/2017	12618		san office	1	05/02/2017	136.18	617104
05/11/2017	12618		natural gas-shop	1	05/02/2017	115.58	105650
05/11/2017	12618		natural gas-shop	2	05/02/2017	115.58	507390
05/11/2017	12618		natural gas	1	05/02/2017	142.22	105023
Total 2728:						2,294.05	
05/31/2017	12656	Mead, Vaughn	cell phone	1	05/31/2017	12.50	507320
05/31/2017	12656		cell phone	2	05/31/2017	12.50	617320
05/31/2017	12656		cell phone	3	05/31/2017	25.00	105645
Total 2739:						50.00	
05/31/2017	12655	Kasper, Gerrits	cell phone reimb	1	05/31/2017	50.00	105645
Total 2747:						50.00	
05/02/2017	12604	Shamrock Security Service	pd remodel	1	04/10/2017	140.00	105028
05/02/2017	12604		security system 901 main	1	04/10/2017	120.00	105023
Total 2752:						260.00	
05/11/2017	12622	ghVALLEY.NET	internet service	1	05/01/2017	23.42	105645
05/11/2017	12622		internet service	2	05/01/2017	23.41	105065
05/11/2017	12622		internet service	3	05/01/2017	23.41	105455
Total 2753:						70.24	
05/17/2017	12644	Mobile Record Shredders	record shredding	1	05/10/2017	9.00	105030
Total 2793:						9.00	
05/02/2017	12597	Chaffee County Waste	6 yd weekly	1	05/01/2017	100.00	105650
05/02/2017	12597		6 yd weekly	2	05/01/2017	100.00	105023

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
<b>Total 2801:</b>						<b>200.00</b>	
05/11/2017	12631	Teller County Waste	roll off for shop cleanup	1	04/14/2017	103.50	105135
05/11/2017	12631		roll off for shop cleanup	1	04/20/2017	95.25	105135
<b>Total 2811:</b>						<b>198.75</b>	
05/31/2017	12659	Bullock, Julie	cell phone reimburse	1	05/31/2017	50.00	105065
<b>Total 2812:</b>						<b>50.00</b>	
05/02/2017	12598	Colorado Analytical Lab	waste water testing	1	02/23/2017	380.00	617140
05/02/2017	12598		water testing	1	04/28/2017	23.00	507140
05/11/2017	12617		waste water testing	1	05/03/2017	380.00	617140
05/17/2017	12641		water testing	1	05/11/2017	23.00	507140
<b>Total 2854:</b>						<b>806.00</b>	
05/11/2017	12613	1010, LLC	1st qtr estip	1	04/30/2017	4,317.50	105076
<b>Total 2871:</b>						<b>4,317.50</b>	
05/11/2017	12627	South Park Brewing	estip payment	1	04/30/2017	2,183.00	105076
<b>Total 2873:</b>						<b>2,183.00</b>	
05/11/2017	12632	The Phillips Law Offices, L	Legal	1	04/30/2017	1,180.00	105057
<b>Total 2886:</b>						<b>1,180.00</b>	
05/31/2017	12658	Bramlett, Rebecca	cell phone reimburse	1	05/31/2017	50.00	105455
<b>Total 2896:</b>						<b>50.00</b>	
05/02/2017	12603	Rise Broadband	internet	1	05/02/2017	93.86	617320
<b>Total 2900:</b>						<b>93.86</b>	
05/11/2017	12629	Summit County Waste Faci	sludge disposal	1	04/30/2017	2,412.30	617150
<b>Total 2901:</b>						<b>2,412.30</b>	
05/31/2017	12853	Claudia Lingg	burro tshirts	1	05/30/2017	8,360.00	105162
<b>Total 2907:</b>						<b>8,360.00</b>	
05/11/2017	12620	Fairplay Auto Supply	supplies	1	04/30/2017	19.65	105625
05/11/2017	12620		1st qtr estip	1	04/30/2017	2,677.00	105076
<b>Total 2948:</b>						<b>2,696.65</b>	
05/31/2017	12661	Schlunsen, Arthur	cell phone reimburse	1	05/31/2017	50.00	105455
<b>Total 2988:</b>						<b>50.00</b>	
05/31/2017	12657	White, Kathleen	cell phone reimburse	1	05/31/2017	25.00	105645

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
05/31/2017	12657		cell phone reimburse	2	05/31/2017	12.50	507320
05/31/2017	12657		cell phone reimburse	3	05/31/2017	12.50	617320
<b>Total 3004:</b>						<b>50.00</b>	
05/31/2017	12654	Bramlett, Raymond	cell phone reimburse	1	05/31/2017	25.00	105645
05/31/2017	12654		cell phone reimburse	2	05/31/2017	12.50	507320
05/31/2017	12654		cell phone reimburse	3	05/31/2017	12.50	617320
<b>Total 3005:</b>						<b>50.00</b>	
05/02/2017	12601	Laurie Emery	refund burro booth	1	05/02/2017	150.00	104756
<b>Total 3097:</b>						<b>150.00</b>	
05/11/2017	12623	KNET Events	vendor contact	1	05/11/2017	150.00	105164
<b>Total 3098:</b>						<b>150.00</b>	
05/17/2017	12639	Around the Peaks Cleaning	clean town hall	1	05/16/2017	1,600.00	105025
<b>Total 3099:</b>						<b>1,600.00</b>	
05/17/2017	12642	Dog Waste Depot	dog waste stations	1	05/08/2017	574.29	105830
<b>Total 3100:</b>						<b>574.29</b>	
<b>Grand Totals:</b>						<b>55,245.79</b>	

**Report Criteria:**

Detail report type printed

TOWN OF FAIRPLAY  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING APRIL 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TAXES</u>					
10-40-05 AD VALOREM TAX	24,283.89	69,521.02	180,708.00	111,186.98	38.5
10-40-10 SPEC. OWNERSHIP TAX	272.44	929.95	20,000.00	19,070.05	4.7
10-40-30 INTEREST ON PROPERTY TAX	.97	.97	1,000.00	999.03	.1
10-40-40 DELINQUENT TAXES	2.57	2.57	1,000.00	997.43	.3
10-40-55 50% SHAREBACK OF R&B LEVY	.00	.00	5,600.00	5,600.00	.0
10-40-60 MOTOR VEHICLE REGISTRATION	308.50	818.00	3,600.00	2,782.00	22.7
10-40-70 SALES TAX	37,605.89	158,770.80	597,541.00	438,770.40	26.6
10-40-75 SALES TAX - STREETS	12,535.30	52,923.55	199,181.00	146,257.45	26.6
10-40-80 HIGHWAY USER'S TAX	2,525.33	7,692.79	32,983.00	25,270.21	23.3
10-40-85 SEVERANCE TAX	.00	.00	2,500.00	2,500.00	.0
10-40-86 MINERAL LEASE REVENUE	.00	.00	1,000.00	1,000.00	.0
10-40-90 CIGARETTE TAX	175.40	749.44	2,200.00	1,450.56	34.1
10-40-96 LODGING TAX	1,242.00	4,800.00	37,000.00	32,200.00	13.0
<b>TOTAL TAXES</b>	<b>78,952.29</b>	<b>296,208.89</b>	<b>1,084,293.00</b>	<b>788,084.11</b>	<b>27.3</b>
<u>LICENSES</u>					
10-41-10 LIQUOR LICENSES	.00	1,200.00	1,500.00	300.00	80.0
10-41-30 DOG LICENSES	15.00	50.00	125.00	75.00	40.0
10-41-32 LIVESTOCK PERMIT	35.00	130.00	60.00	( 70.00)	216.7
10-41-34 COMMERCIAL FLY FISHING PERMIT	.00	150.00	300.00	150.00	50.0
10-41-40 BUILDING PERMITS	1,680.00	1,980.00	3,000.00	1,020.00	66.0
10-41-41 SURCHARGE: STREETS	94.00	118.50	225.00	106.50	52.7
10-41-42 SURCHARGE: PARKS & REC	94.00	118.50	225.00	106.50	52.7
10-41-50 FRANCHISE TAX	2,644.39	8,328.83	50,000.00	41,671.17	16.7
10-41-60 GOLD PANNING PERMITS/DONATION	220.00	435.00	2,600.00	2,165.00	16.7
10-41-70 BUSINESS LICENSES	475.00	5,875.00	5,600.00	( 275.00)	104.9
10-41-80 SIGN PERMITS	.00	25.00	400.00	375.00	6.3
10-41-90 EXCAVATION PERMIT	.00	.00	200.00	200.00	.0
10-41-82 MECHANICAL PERMIT	.00	50.00	.00	( 50.00)	.0
10-41-94 STREET CUT PERMIT	550.00	550.00	500.00	( 50.00)	110.0
10-41-96 FENCE PERMIT	.00	40.00	240.00	200.00	16.7
10-41-97 SPECIAL EVENTS PERMIT	.00	.00	2,500.00	2,500.00	.0
10-41-98 RESIDE/REROOF PERMIT	200.00	300.00	1,000.00	700.00	30.0
<b>TOTAL LICENSES</b>	<b>6,007.39</b>	<b>19,350.83</b>	<b>68,475.00</b>	<b>49,124.17</b>	<b>28.3</b>
<u>FEE INCOME</u>					
10-42-75 PLANNING & DEVELOPMENT FEES	1,250.00	1,625.00	2,000.00	375.00	81.3
10-42-90 COPIES & FAXES	14.00	135.50	200.00	64.50	67.8
<b>TOTAL FEE INCOME</b>	<b>1,264.00</b>	<b>1,760.50</b>	<b>2,200.00</b>	<b>439.50</b>	<b>80.0</b>

TOWN OF FAIRPLAY  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING APRIL 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>LAW ENFORCEMENT</u>					
10-45-05 TRAFFIC FINES	1,335.00	9,810.00	24,000.00	14,190.00	40.9
10-45-10 SURCHARGE: POLICE TRAINING	165.00	1,125.00	2,650.00	1,525.00	42.5
10-45-15 COURT COSTS	155.00	455.00	1,600.00	1,145.00	28.4
10-45-20 DEFAULT FEES	.00	60.00	150.00	90.00	40.0
10-45-30 OTHER FINES	.00	160.00	1,000.00	820.00	18.0
10-45-80 VIN INSPECTIONS	.00	37.50	200.00	162.50	18.8
10-45-85 CDOT LEAF GRANT REIMBURSEMEN	1,400.00	3,850.00	3,125.00	( 725.00)	123.2
10-45-90 MISCELLANEOUS	.00	1,514.29	1,000.00	( 514.29)	151.4
<b>TOTAL LAW ENFORCEMENT</b>	<b>3,055.00</b>	<b>17,031.79</b>	<b>33,725.00</b>	<b>16,693.21</b>	<b>50.5</b>
<u>INTEREST INCOME</u>					
10-46-05 INTEREST ON COLOTRUST	.00	.00	157.00	157.00	.0
10-46-30 INTEREST ON CHECKING	187.38	794.43	1,331.00	536.57	59.7
<b>TOTAL INTEREST INCOME</b>	<b>187.38</b>	<b>794.43</b>	<b>1,488.00</b>	<b>693.57</b>	<b>53.4</b>
<u>MISCELLANEOUS INCOME</u>					
10-47-00 MISCELLANEOUS INCOME	597.00	881.31	5,000.00	4,118.69	17.6
10-47-10 CEMETERY	.00	.00	300.00	300.00	.0
10-47-39 FOURTH OF JULY DONATIONS	3,500.00	3,500.00	5,000.00	1,500.00	70.0
10-47-49 STREET LIGHTING	856.60	3,611.64	10,800.00	7,188.36	33.4
10-47-50 SUMMER CONCERT SERIES	.00	.00	12,000.00	12,000.00	.0
10-47-52 REAL COLORADO CHRISTMAS	.00	.00	500.00	500.00	.0
10-47-54 VICTORIAN BALL	.00	.00	5,000.00	5,000.00	.0
10-47-55 BEAD & FIBER SHOW	75.00	75.00	3,000.00	2,925.00	2.5
10-47-56 BURRO DAYS	2,115.00	15,400.00	45,000.00	29,600.00	34.2
10-47-57 PEACH FUNDRAISER	.00	.00	2,625.00	2,625.00	.0
10-47-60 525 HATHAWAY - RENT & UTILITY	100.00	400.00	3,500.00	3,100.00	11.4
10-47-70 PLEIN AIR EVENT	350.00	3,565.00	25,000.00	21,435.00	14.3
10-47-82 CAMPING PERMITS/FACILITY USE	.00	.00	100.00	100.00	.0
10-47-87 GRANT REVENUE	.00	.00	25,000.00	25,000.00	.0
10-47-90 MISCELLANEOUS REVENUE-EVENTS	.00	.00	3,000.00	3,000.00	.0
10-47-91 TOWN HALL - 901 MAIN	.00	.00	12,397.00	12,397.00	.0
<b>TOTAL MISCELLANEOUS INCOME</b>	<b>7,593.60</b>	<b>27,432.95</b>	<b>158,222.00</b>	<b>130,789.05</b>	<b>17.3</b>
<b>TOTAL FUND REVENUE</b>	<b>97,059.66</b>	<b>362,579.39</b>	<b>1,348,403.00</b>	<b>985,823.61</b>	<b>26.9</b>

TOWN OF FAIRPLAY  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING APRIL 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ADMINISTRATION</u>					
10-50-02 401(A) EMPLOYER MATCH	288.42	1,216.18	3,999.00	2,782.82	30.4
10-50-06 SALARIES -ADMIN./CLERK/TREASUR	9,612.77	38,451.15	124,966.00	86,514.85	30.8
10-50-11 SS/MEDICARE EXPENSE	765.97	3,046.63	9,725.00	6,678.37	31.3
10-50-12 UNEMPLOYMENT EXPENSE	30.22	120.24	381.00	260.76	31.6
10-50-13 EMPLOYEE HEALTH INSURANCE	2,389.56	9,644.65	26,682.00	19,037.35	33.6
10-50-14 WORKER'S COMPENSATION	.00	400.00	400.00	.00	100.0
10-50-15 EDUCATION	.00	644.57	3,000.00	2,355.43	21.5
10-50-16 ADMIN VEHICLE	276.92	1,107.68	3,600.00	2,492.32	30.8
10-50-20 TOWN HALL EXPENSE	.00	.00	30,994.00	30,994.00	.0
10-50-23 TOWN HALL EXPENSE - UTILITIES	530.07	2,025.25	7,000.00	4,974.75	28.9
10-50-25 TOWN HALL EXPENSE - BLDG. REP.	119.40	274.40	500.00	225.60	54.9
10-50-27 TOWN HALL EXPENSE - SUPPLIES	763.13	1,033.96	1,200.00	166.04	86.2
10-50-28 TOWN HALL EXPENSE-901 MAIN	5,050.23	9,363.61	7,000.00	( 2,363.61)	133.8
10-50-30 OFFICE SUPPLIES	226.58	968.04	2,500.00	1,531.96	38.7
10-50-32 EQUIPMENT RENTAL	426.33	1,700.04	5,300.00	3,599.96	32.1
10-50-35 POSTAGE EXPENSE	58.80	166.07	500.00	333.93	33.2
10-50-40 BANK/CREDIT CARD FEES	136.15	436.08	1,300.00	861.92	33.7
10-50-55 BOARD OF TRUSTEE SALARY	180.00	495.00	2,160.00	1,665.00	22.9
10-50-57 TOWN ATTY LEGAL SERVICES	625.00	4,415.00	20,000.00	15,585.00	22.1
10-50-60 COMPUTER/SOFTWARE/SUPPORT	439.50	1,758.00	7,000.00	5,242.00	25.1
10-50-65 TELEPHONE/INTERNET	684.02	2,712.11	8,200.00	5,487.89	33.1
10-50-70 MISCELLANEOUS EXPENSE	758.15	1,225.22	1,000.00	( 225.22)	122.5
10-50-75 CODIFICATION	.00	.00	2,000.00	2,000.00	.0
10-50-76 ESTIP AGREEMENT	.00	.00	50,000.00	50,000.00	.0
<b>TOTAL ADMINISTRATION</b>	<b>23,361.22</b>	<b>81,205.88</b>	<b>321,407.00</b>	<b>240,201.12</b>	<b>25.3</b>



TOWN OF FAIRPLAY  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING APRIL 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>COMMUNITY DEVELOPMENT</u>					
10-51-05 PROFESSIONAL FEES	741.25	1,468.50	2,000.00	531.50	73.4
10-51-10 EDUCATION/BENEVOLENCE (BOT)	.00	.00	5,000.00	5,000.00	.0
10-51-20 VISITOR CENTER	.00	133.15	2,000.00	1,866.85	6.7
10-51-30 ADVERTISING AND MARKETING	2,569.75	4,027.82	12,000.00	7,972.18	33.6
10-51-34 TOWN BEAUTIFICATION	193.63	2,962.77	10,500.00	7,537.23	28.2
10-51-35 TOWN CLEAN UP	1,600.00	1,600.00	6,000.00	4,400.00	26.7
10-51-40 DUES AND MEMBERSHIPS	.00	.00	500.00	500.00	.0
10-51-50 TGIFAIRPLAY EXPENSE	750.84	3,334.84	17,000.00	13,665.16	19.6
10-51-62 BURRO DAYS	265.90	386.89	33,000.00	32,613.11	1.2
10-51-64 BEAD AND FIBER SHOW	236.00	236.00	3,000.00	2,764.00	7.9
10-51-70 MISCELLANEOUS EVENTS	325.00	368.16	10,000.00	9,631.84	3.7
10-51-71 FIREWORKS/4TH OF JULY	6,050.95	6,163.95	10,900.00	4,736.05	56.6
10-51-72 PLEIN AIR EVENT	265.98	286.10	22,500.00	22,213.90	1.3
10-51-74 REAL COLORADO CHRISTMAS	.00	10.00	3,000.00	2,990.00	.3
10-51-75 DONATIONS	.00	.00	1,500.00	1,500.00	.0
10-51-82 PEACH FUNDRAISER	.00	.00	2,500.00	2,500.00	.0
10-51-83 VICTORIAN BALL	.00	.00	5,000.00	5,000.00	.0
10-51-85 PROPERTY IMPROVEMENT INCENTIV	626.92	626.92	15,000.00	14,373.08	4.2
10-51-90 525 HATHAWAY	670.11	4,312.82	8,000.00	3,687.18	53.9
<b>TOTAL COMMUNITY DEVELOPMENT</b>	<b>14,296.33</b>	<b>25,917.92</b>	<b>169,400.00</b>	<b>143,482.08</b>	<b>15.3</b>
<u>JUDICIAL SYSTEM</u>					
10-53-02 401(A) EMPLOYER MATCH	28.22	125.38	417.00	291.62	30.1
10-53-05 MUNICIPAL JUDGE SALARY	584.68	2,338.73	7,600.00	5,261.27	30.8
10-53-10 COURT CLERK	940.46	3,761.70	12,226.00	8,464.30	30.8
10-53-11 SS/MEDICARE EXPENSE	115.94	463.76	1,517.00	1,053.24	30.6
10-53-12 UNEMPLOYMENT EXPENSE	4.58	18.32	59.00	40.68	31.1
10-53-13 EMPLOYEE HEALTH INSURANCE	418.57	1,683.09	5,012.00	3,328.91	33.6
10-53-14 WORKER'S COMPENSATION	.00	40.00	40.00	.00	100.0
10-53-20 COURT ATTORNEY	.00	.00	500.00	500.00	.0
10-53-40 OPERATING EXPENSE	.00	300.00	450.00	150.00	66.7
10-53-50 DUES AND MEMBERSHIPS	22.00	22.00	150.00	128.00	14.7
<b>TOTAL JUDICIAL SYSTEM</b>	<b>2,114.45</b>	<b>8,752.98</b>	<b>27,971.00</b>	<b>19,218.02</b>	<b>31.3</b>

TOWN OF FAIRPLAY  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING APRIL 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC SAFETY</u>					
10-54-01 POLICE SALARIES	11,486.94	46,933.47	149,330.00	102,396.53	31.4
10-54-03 EXTRA DUTY PAY-GRANT	.00	3,162.00	3,125.00	( 37.00)	101.2
10-54-04 PART TIME OFFICERS	1,378.00	4,007.00	20,000.00	15,993.00	20.0
10-54-05 PENSION CONTRIBUTION	1,229.10	5,021.87	15,829.00	10,807.13	31.7
10-54-10 UNIFORMS AND ACCESSORIES	.00	1,900.00	3,000.00	1,100.00	63.3
10-54-11 SS/MEDICARE EXPENSE	271.37	1,226.54	3,934.00	2,707.46	31.2
10-54-12 UNEMPLOYMENT EXPENSE	38.57	162.25	517.00	354.75	31.4
10-54-13 EMPLOYEE HEALTH INSURANCE	4,896.42	19,730.55	58,782.00	39,051.45	33.6
10-54-14 WORKER'S COMPENSATION	.00	6,651.00	6,651.00	.00	100.0
10-54-15 GASOLINE	517.34	1,588.79	6,000.00	4,411.21	26.5
10-54-20 VEHICLE MAINTENANCE	.00	3,340.82	6,000.00	2,659.18	55.7
10-54-24 PROFESSIONAL TRAINING EXPENSE	.00	290.00	3,000.00	2,710.00	9.7
10-54-26 IN-SERVICE TRAINING EXPENSE	.00	292.98	2,000.00	1,707.02	14.7
10-54-28 VEHICLE RENTAL PAYMENT	1,238.42	4,953.68	14,861.00	9,907.32	33.3
10-54-30 RADAR & RADIO MAINTENANCE	.00	.00	500.00	500.00	.0
10-54-45 OPERATING SUPPLIES	833.49	5,687.31	7,000.00	1,312.69	81.3
10-54-50 EQUIPMENT EXPENSE	.00	9.09	3,000.00	2,990.91	.3
10-54-55 TELEPHONE - POLICE LINE	286.77	1,130.36	3,300.00	2,169.64	34.3
10-54-80 MEMBERSHIPS - DUES	.00	.00	150.00	150.00	.0
10-54-65 COMPUTER/SOFTWARE/SUPPORT	2,195.77	3,277.38	4,500.00	1,222.62	72.8
10-54-75 INVESTIGATIVE SERVICES	300.00	630.00	1,000.00	370.00	63.0
10-54-97 PUBLIC RELATIONS	50.00	50.00	1,000.00	950.00	5.0
<b>TOTAL PUBLIC SAFETY</b>	<b>24,722.19</b>	<b>110,045.09</b>	<b>313,479.00</b>	<b>203,433.91</b>	<b>35.1</b>
<u>PUBLIC WORKS</u>					
10-56-01 SALARIES	6,573.13	26,343.31	88,811.00	62,467.69	29.7
10-56-02 401(A) EMPLOYER MATCH	197.22	852.90	2,814.00	1,961.10	30.3
10-56-11 SS/MEDICARE EXPENSE	495.94	1,987.65	6,794.00	4,806.35	29.3
10-56-12 UNEMPLOYMENT EXPENSE	19.74	79.09	266.00	186.91	29.7
10-56-13 EMPLOYEE HEALTH INSURANCE	2,120.68	8,534.62	25,533.00	16,998.38	33.4
10-56-14 WORKER'S COMPENSATION	.00	4,015.00	4,015.00	.00	100.0
10-56-15 GASOLINE & OIL - STREETS	153.50	855.72	5,000.00	4,144.28	17.1
10-56-25 REPAIRS & MAINT - EQUIPMENT	333.22	2,582.40	6,000.00	3,417.60	43.0
10-56-30 TOOLS, MAT'Ls, & SUPPLIES	103.12	906.74	3,000.00	2,093.26	30.2
10-56-35 EDUCATION & TRAINING	199.00	337.36	500.00	162.64	67.5
10-56-40 ELECTRIC STREET LIGHTS & SIGNS	929.94	3,730.06	11,500.00	7,769.94	32.4
10-56-45 TELEPHONE	141.76	583.72	1,500.00	916.28	38.9
10-56-50 MAINTENANCE BUILDING - UTILITY	632.51	2,480.79	6,500.00	4,019.21	38.2
10-56-60 VEHICLE RENTAL PAYMENT	1,391.92	5,567.68	16,703.00	11,135.32	33.3
10-56-70 STREET REPAIRS	574.00	5,968.59	140,000.00	134,033.41	4.3
10-56-82 TOWN SHOP BUILDING REPAIRS	.00	.00	1,000.00	1,000.00	.0
<b>TOTAL PUBLIC WORKS</b>	<b>13,865.68</b>	<b>64,823.63</b>	<b>319,936.00</b>	<b>255,112.37</b>	<b>20.3</b>

TOWN OF FAIRPLAY  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING APRIL 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PARKS &amp; RECREATION</u>					
10-58-30 TOOLS, MATERIALS, & SUPPLIES	.00	42.07	3,000.00	2,957.93	1.4
10-58-41 PARKS UTILITIES	31.62	133.14	550.00	416.86	24.2
10-58-42 VAULT RESTROOMS MAINTENANCE	110.57	110.57	500.00	389.43	22.1
10-58-50 CEMETERY EXPENSE	.00	.00	500.00	500.00	.0
10-58-80 FAIRPLAY BEACH PROJECT EXPENS	.00	.00	50,500.00	50,500.00	.0
10-58-90 LAND ACQUISITION	39,530.21	42,482.44	.00	( 42,492.44)	.0
10-58-95 LAND LEASE PAYMENT	.00	12,995.09	25,990.00	12,994.91	50.0
<b>TOTAL PARKS &amp; RECREATION</b>	<b>39,672.40</b>	<b>55,773.31</b>	<b>81,040.00</b>	<b>25,266.69</b>	<b>68.8</b>
<u>NON-DEPARTMENTAL EXPENDITURE</u>					
10-61-15 LIABILITY INSURANCE	3,694.20	7,528.20	14,777.00	7,248.80	51.0
10-61-17 AUDIT FEES	.00	3,600.00	4,740.00	1,140.00	76.0
10-61-23 TREASURER'S FEES - MILL LEVY	485.74	1,390.49	4,500.00	3,109.51	30.9
10-61-25 PUBLISHING EXPENSE	36.70	85.21	1,500.00	1,414.79	5.7
10-61-30 DUES & MEMBERSHIPS	.00	1,546.00	2,000.00	454.00	77.3
10-61-50 CAPITAL IMPROVEMENTS	.00	.00	75,000.00	75,000.00	.0
<b>TOTAL NON-DEPARTMENTAL EXPEN</b>	<b>4,216.64</b>	<b>14,149.90</b>	<b>102,517.00</b>	<b>88,367.10</b>	<b>13.8</b>
<b>TOTAL FUND EXPENDITURES</b>	<b>122,248.91</b>	<b>360,668.71</b>	<b>1,335,750.00</b>	<b>975,081.29</b>	<b>27.0</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>( 25,189.25)</b>	<b>1,910.68</b>	<b>12,653.00</b>	<b>10,742.32</b>	<b>15.1</b>

TOWN OF FAIRPLAY  
 REVENUES WITH COMPARISON TO BUDGET  
 FOR THE 4 MONTHS ENDING APRIL 30, 2017

CONSERVATION TRUST FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>INTERGOVERNMENTAL REVENUES</u>					
20-44-10 COLORADO LOTTERY FUNDS	.00	799.58	3,300.00	2,500.42	24.2
<b>TOTAL INTERGOVERNMENTAL REVE</b>	<b>.00</b>	<b>799.58</b>	<b>3,300.00</b>	<b>2,500.42</b>	<b>24.2</b>
<u>INTEREST INCOME</u>					
20-46-50 INTEREST INCOME SAVINGS	1.30	4.78	9.00	4.22	53.1
<b>TOTAL INTEREST INCOME</b>	<b>1.30</b>	<b>4.78</b>	<b>9.00</b>	<b>4.22</b>	<b>53.1</b>
<b>TOTAL FUND REVENUE</b>	<b>1.30</b>	<b>804.36</b>	<b>3,309.00</b>	<b>2,504.64</b>	<b>24.3</b>

TOWN OF FAIRPLAY  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING APRIL 30, 2017

CONSERVATION TRUST FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>OPERATION EXPENSE</u>					
20-73-03 BASEBALL FIELD IMPROVEMENTS	.00	.00	1,000.00	1,000.00	.0
20-73-10 COHEN PARK - IMPROVEMENTS	.00	.00	5,000.00	5,000.00	.0
<b>TOTAL OPERATION EXPENSE</b>	<b>.00</b>	<b>.00</b>	<b>6,000.00</b>	<b>6,000.00</b>	<b>.0</b>
<b>TOTAL FUND EXPENDITURES</b>	<b>.00</b>	<b>.00</b>	<b>6,000.00</b>	<b>6,000.00</b>	<b>.0</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>1.30</b>	<b>804.36</b>	<b>( 2,691.00)</b>	<b>( 3,495.36)</b>	<b>29.9</b>

TOWN OF FAIRPLAY  
 REVENUES WITH COMPARISON TO BUDGET  
 FOR THE 4 MONTHS ENDING APRIL 30, 2017

INTERNAL SERVICE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
32-47-20 DEPT RENTAL PAYMENTS	3,558.34	14,233.36	42,700.00	28,466.64	33.3
TOTAL REVENUE	3,558.34	14,233.36	42,700.00	28,466.64	33.3
TOTAL FUND REVENUE	3,558.34	14,233.36	42,700.00	28,466.64	33.3

TOWN OF FAIRPLAY  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING APRIL 30, 2017

INTERNAL SERVICE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>DEPARTMENT 75</u>					
32-75-50 DEPRECIATION	.00	.00	3,000.00	3,000.00	.0
TOTAL DEPARTMENT 75	.00	.00	3,000.00	3,000.00	.0
TOTAL FUND EXPENDITURES	.00	.00	3,000.00	3,000.00	.0
NET REVENUE OVER EXPENDITURES	3,558.34	14,233.36	39,700.00	25,466.64	35.9

TOWN OF FAIRPLAY  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING APRIL 30, 2017

FAIRPLAY WATER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>UTILITY REVENUES</u>					
50-43-05 POTABLE WATER	29,953.10	120,191.26	400,000.00	279,808.74	30.1
50-43-50 LATE CHARGES	408.05	1,542.47	3,000.00	1,457.53	51.4
50-43-80 LIEN REVENUE	.00	715.59	1,431.00	715.41	50.0
50-43-85 LIEN INTEREST REVENUE	.00	.00	5.00	5.00	.0
50-43-80 WATER FACILITY MAINTENANCE FEE	121.82	243.64	500.00	256.36	48.7
<b>TOTAL UTILITY REVENUES</b>	<b>30,482.97</b>	<b>122,692.96</b>	<b>404,936.00</b>	<b>282,243.04</b>	<b>30.3</b>
<u>MISCELLANEOUS INCOME</u>					
50-46-05 WATER METERS, PRV, & PARTS	736.25	736.25	1,000.00	263.75	73.6
50-46-10 PENALTY FOR NON-COMPLIANCE	40.00	160.00	480.00	320.00	33.3
50-46-25 INTEREST ON INVESTMENTS	88.15	298.05	220.00	( 78.05)	135.5
50-46-45 FEMA PROJECT	.00	.00	375,000.00	375,000.00	.0
50-46-49 FAIRPLAY SANITATION FEES	.00	.00	142,329.00	142,329.00	.0
50-46-50 OTHER WATER REVENUE	.00	.00	100.00	100.00	.0
<b>TOTAL MISCELLANEOUS INCOME</b>	<b>864.40</b>	<b>1,194.30</b>	<b>519,129.00</b>	<b>517,934.70</b>	<b>.2</b>
<b>TOTAL FUND REVENUE</b>	<b>31,347.37</b>	<b>123,887.26</b>	<b>924,065.00</b>	<b>800,177.74</b>	<b>13.4</b>



TOWN OF FAIRPLAY  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING APRIL 30, 2017

FAIRPLAY WATER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EMPLOYEE EXPENSES</u>					
50-70-01 SALARIES	7,053.26	28,238.51	93,373.00	65,134.49	30.2
50-70-02 ICMA RC RETIREMENT	211.80	903.44	2,976.00	2,072.56	30.4
50-70-11 SS/MEDICARE EXPENSE	537.53	2,146.28	7,198.00	5,051.72	29.8
50-70-12 UNEMPLOYMENT EXPENSE	21.34	85.25	282.00	196.75	30.2
50-70-13 EMPLOYEE HEALTH INSURANCE	2,235.81	8,999.94	26,747.00	17,747.06	33.7
50-70-14 WORKER'S COMPENSATION	.00	812.50	813.00	.50	99.9
50-70-50 EDUCATION - WATER OPERATORS	1,012.60	1,412.08	3,000.00	1,587.92	47.1
50-70-70 BOT SALARY	60.00	165.00	720.00	555.00	22.9
50-70-80 FSD EMPLOYEE EXPENSES	.00	.00	142,329.00	142,329.00	.0
<b>TOTAL EMPLOYEE EXPENSES</b>	<b>11,132.14</b>	<b>42,763.00</b>	<b>277,438.00</b>	<b>234,675.00</b>	<b>15.4</b>
<u>PLANT &amp; EQUIPMENT</u>					
50-71-03 WATER TREATMENT PLANT	6,466.48	6,809.27	35,000.00	28,190.73	19.5
50-71-20 PUMPHOUSE EXPENSE	.00	.00	500.00	500.00	.0
50-71-30 CHEMICAL EXPENSE	.00	868.87	500.00	( 368.87)	173.8
50-71-40 WATER TESTING EXPENSE	.00	69.00	600.00	531.00	11.5
50-71-55 LEAKS AND REPAIRS	838.90	838.90	10,000.00	9,161.10	8.4
50-71-60 TOOLS, & MAINTENANCE SUPPLIES	.00	541.38	2,500.00	1,958.62	21.7
50-71-70 REPAIR & MAINTAIN EQUIPMENT	166.81	391.66	7,000.00	6,608.34	5.6
50-71-80 GASOLINE & OIL	76.75	427.85	2,000.00	1,572.15	21.4
50-71-85 WATER TANKS	16.12	52.05	3,000.00	2,947.95	1.7
50-71-87 VEHICLE RENTAL PAYMENT	696.00	2,784.00	8,352.00	5,568.00	33.3
50-71-90 DITCH MAINTENANCE	.00	.00	1,000.00	1,000.00	.0
50-71-95 FEMA PROJECT	10,530.00	20,227.50	500,000.00	479,772.50	4.1
<b>TOTAL PLANT &amp; EQUIPMENT</b>	<b>18,790.86</b>	<b>33,010.48</b>	<b>570,452.00</b>	<b>537,441.52</b>	<b>5.8</b>
<u>CONTRACTUAL FEES</u>					
50-72-03 ENGINEERING FEES	.00	.00	5,000.00	5,000.00	.0
50-72-10 LEGAL FEES	594.00	990.00	5,000.00	4,010.00	19.8
50-72-20 INSURANCE FEES	2,462.80	5,018.80	9,851.00	4,832.20	51.0
50-72-30 MEMBERSHIP DUES	14.50	445.95	1,210.00	764.05	36.9
50-72-40 AUDITOR FEES	.00	2,400.00	3,160.00	760.00	76.0
50-72-60 HASP MEMBERSHIP DUES	.00	1,500.00	.00	( 1,500.00)	.0
<b>TOTAL CONTRACTUAL FEES</b>	<b>3,071.30</b>	<b>10,354.75</b>	<b>24,221.00</b>	<b>13,866.25</b>	<b>42.8</b>

TOWN OF FAIRPLAY  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING APRIL 30, 2017

FAIRPLAY WATER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>OPERATION EXPENSE</u>					
50-73-03 OFFICE EXPENSE	20.00	293.32	750.00	456.68	39.1
50-73-10 POSTAGE EXPENSE	148.80	583.99	2,000.00	1,416.01	29.2
50-73-20 TELEPHONE EXPENSE	91.86	384.07	1,500.00	1,115.93	25.6
50-73-30 PUBLISHING EXPENSE	.00	.00	400.00	400.00	.0
50-73-40 WATER METERS	.00	210.90	1,000.00	789.10	21.1
50-73-50 BANK/CREDIT FEES	111.15	455.97	2,100.00	1,644.03	21.7
50-73-60 COMPUTER/SOFTWARE/SUPPORT	219.75	2,772.15	7,500.00	4,727.85	37.0
50-73-90 SHOP UTILITIES	1,292.39	5,164.03	20,000.00	14,835.97	25.8
<b>TOTAL OPERATION EXPENSE</b>	<b>1,883.55</b>	<b>9,864.43</b>	<b>35,250.00</b>	<b>25,385.57</b>	<b>28.0</b>
<u>DEBT SERVICE ON REVENUE LOANS</u>					
50-75-02 REVENUE LOAN PAYMENT-PRINCIPA (	318.60)	14,900.00	14,900.00	.00	100.0
50-75-03 DEP OF LOCAL AFFAIRS-PRINCIPAL	.00	.00	5,459.00	5,459.00	.0
50-75-05 RURAL DEV. LOAN - PRINCIPAL	.00	1,000.00	2,000.00	1,000.00	50.0
50-75-10 REVENUE LOAN PAYMENT-INTEREST	318.60	318.60	419.00	100.40	76.0
50-75-13 DEP OF LOCAL AFFAIRS-INTEREST	.00	.00	560.00	560.00	.0
50-75-15 RURAL DEV. LOAN - INTEREST	.00	1,788.37	3,566.00	1,777.63	50.2
<b>TOTAL DEBT SERVICE ON REVENUE</b>	<b>.00</b>	<b>18,006.97</b>	<b>26,904.00</b>	<b>8,897.03</b>	<b>66.9</b>
<u>901 MAIN STREET</u>					
50-80-80 RENT 901 MAIN STREET	.00	.00	12,397.00	12,397.00	.0
<b>TOTAL 901 MAIN STREET</b>	<b>.00</b>	<b>.00</b>	<b>12,397.00</b>	<b>12,397.00</b>	<b>.0</b>
<b>TOTAL FUND EXPENDITURES</b>	<b>34,877.85</b>	<b>113,999.63</b>	<b>946,662.00</b>	<b>832,662.37</b>	<b>12.0</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>( 3,530.48)</b>	<b>9,887.63</b>	<b>( 22,597.00)</b>	<b>( 32,484.63)</b>	<b>43.8</b>

TOWN OF FAIRPLAY  
 REVENUES WITH COMPARISON TO BUDGET  
 FOR THE 4 MONTHS ENDING APRIL 30, 2017

FAIRPLAY SANITATION-GENERAL

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
60-48-05 AD VALOREM TAX	16,099.53	45,406.48	125,716.00	80,309.52	36.1
60-48-10 SO TAX	183.16	625.21	15,000.00	14,374.79	4.2
60-48-15 DELINQUENT TAX	14.40	14.40	.00	( 14.40)	.0
60-48-20 INTEREST	1.87	1.87	.00	( 1.87)	.0
<b>TOTAL SOURCE 48</b>	<b>16,298.96</b>	<b>46,047.96</b>	<b>140,716.00</b>	<b>94,668.04</b>	<b>32.7</b>
<b>TOTAL FUND REVENUE</b>	<b>16,298.96</b>	<b>46,047.96</b>	<b>140,716.00</b>	<b>94,668.04</b>	<b>32.7</b>

TOWN OF FAIRPLAY  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING APRIL 30, 2017

FAIRPLAY SANITATION-GENERAL

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>DEBT SERVICE</u>					
60-75-02 GO BOND PAYMENT-PRINCIPAL	70,358.78	70,358.78	140,716.00	70,357.22	50.0
TOTAL DEBT SERVICE	70,358.78	70,358.78	140,716.00	70,357.22	50.0
TOTAL FUND EXPENDITURES	70,358.78	70,358.78	140,716.00	70,357.22	50.0
NET REVENUE OVER EXPENDITURES	( 54,059.82)	( 24,310.82)	.00	24,310.82	.0

TOWN OF FAIRPLAY  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING APRIL 30, 2017

FAIRPLAY SAN ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>WASTEWATER REVENUES</u>					
61-43-05 WASTEWATER USER FEES	56,876.30	227,505.20	684,076.00	456,570.80	33.3
61-43-10 WASTEWATER USER FEES-LIEN COL	.00	580.05	3,274.00	2,693.95	17.7
61-43-20 WASTEWATER USE FEES-LIEN INTER	.00	.00	50.00	50.00	.0
61-43-50 LATE CHARGES	750.00	2,760.00	6,500.00	3,740.00	42.5
<b>TOTAL WASTEWATER REVENUES</b>	<b>57,626.30</b>	<b>230,845.25</b>	<b>693,900.00</b>	<b>468,054.75</b>	<b>33.3</b>
<u>MISCELLANEOUS REVENUE</u>					
61-46-10 INTEREST	1,141.41	4,281.33	7,500.00	3,218.67	57.1
61-46-20 MISCELLANEOUS REVENUE	.00	.00	2,000.00	2,000.00	.0
<b>TOTAL MISCELLANEOUS REVENUE</b>	<b>1,141.41</b>	<b>4,281.33</b>	<b>9,500.00</b>	<b>5,218.67</b>	<b>45.1</b>
<b>TOTAL FUND REVENUE</b>	<b>58,767.71</b>	<b>235,126.58</b>	<b>703,400.00</b>	<b>473,273.42</b>	<b>33.4</b>

TOWN OF FAIRPLAY  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING APRIL 30, 2017

FAIRPLAY SAN ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EMPLOYEE EXPENSES</u>					
61-70-01 SALARIES	7,873.59	31,444.86	103,977.00	72,532.14	30.2
61-70-02 ICMA RC RETIREMENT	175.88	760.53	3,119.00	2,358.47	24.4
61-70-11 SS/MEDICARE EXPENSE	596.11	2,380.87	7,924.00	5,543.33	30.0
61-70-12 UNEMPLOYMENT EXPENSE	23.58	94.14	312.00	217.86	30.2
61-70-13 EMPLOYEE HEALTH INSURANCE	1,899.81	7,645.80	22,809.00	15,163.40	33.5
61-70-14 WORKER'S COMPENSATION	.00	3,038.50	3,038.00	(.50)	100.0
61-70-50 EDUCATION - VVV OPERATORS	.00	164.19	1,150.00	985.81	14.3
<b>TOTAL EMPLOYEE EXPENSES</b>	<b>10,568.97</b>	<b>45,528.49</b>	<b>142,329.00</b>	<b>96,800.51</b>	<b>32.0</b>
<u>PLANT &amp; EQUIPMENT</u>					
61-71-03 COLLECTION SYSTEM MAINTENANC	.00	374.08	30,000.00	29,625.92	1.3
61-71-04 UTILITIES	5,275.29	19,078.99	50,000.00	30,921.01	38.2
61-71-10 DISCHARGE/PERMITS	.00	.00	3,000.00	3,000.00	.0
61-71-30 CHEMICAL & SUPPLIES EXPENSE	304.29	304.29	2,000.00	1,695.71	15.2
61-71-40 TESTING EXPENSE	140.92	1,363.56	5,000.00	3,636.44	27.3
61-71-50 SLUDGE REMOVAL	120.00	1,763.50	60,000.00	58,236.50	2.9
61-71-55 REPAIRS & MAINTENANCE	3,711.10	9,128.39	25,000.00	15,871.61	36.5
61-71-67 TRASH	75.00	300.00	900.00	600.00	33.3
61-71-80 GASOLINE & OIL	76.75	427.88	1,500.00	1,072.12	28.5
61-71-85 VEHICLE EXPENSE	232.00	928.00	2,784.00	1,856.00	33.3
<b>TOTAL PLANT &amp; EQUIPMENT</b>	<b>9,935.35</b>	<b>33,668.69</b>	<b>180,184.00</b>	<b>146,515.31</b>	<b>18.7</b>
<u>CONTRACTUAL FEES</u>					
61-72-03 ENGINEERING FEES	.00	.00	5,000.00	5,000.00	.0
61-72-10 LEGAL FEES	.00	.00	5,000.00	5,000.00	.0
61-72-20 INSURANCE FEES	.00	.00	7,100.00	7,100.00	.0
61-72-30 MEMBERSHIP DUES	.00	275.00	700.00	425.00	39.3
61-72-40 AUDITOR FEES	.00	3,000.00	4,250.00	1,250.00	70.6
<b>TOTAL CONTRACTUAL FEES</b>	<b>.00</b>	<b>3,275.00</b>	<b>22,050.00</b>	<b>18,775.00</b>	<b>14.9</b>

TOWN OF FAIRPLAY  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING APRIL 30, 2017

FAIRPLAY SAN ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>OPERATION EXPENSE</u>					
61-73-03 OFFICE EXPENSE	120.67	450.99	1,000.00	549.01	45.1
61-73-05 MISCELLANEOUS	.00	157.29	500.00	342.71	31.5
61-73-10 POSTAGE EXPENSE	162.83	620.72	2,400.00	1,779.28	25.9
61-73-20 TELEPHONE EXPENSE	156.49	626.19	2,100.00	1,473.81	29.8
61-73-30 PUBLISHING EXPENSE	.00	.00	500.00	500.00	.0
61-73-40 LOCATES	18.85	34.80	500.00	465.20	7.0
61-73-50 BANK/CREDIT CARD FEES	121.15	465.97	1,200.00	734.03	38.8
61-73-60 COMPUTER/SOFTWARE/SUPPORT	219.75	879.00	4,000.00	3,121.00	22.0
61-73-70 TREASURER FEES	483.49	1,362.70	5,000.00	3,637.30	27.3
61-73-90 CONTINGENCY	.00	.00	24,000.00	24,000.00	.0
<b>TOTAL OPERATION EXPENSE</b>	<b>1,283.23</b>	<b>4,597.66</b>	<b>41,200.00</b>	<b>36,802.34</b>	<b>11.2</b>
<u>DEBT SERVICE</u>					
61-75-02 REVENUE BOND-INTEREST	.00	.00	152,838.00	152,838.00	.0
61-75-04 REVENUE BOND-PRINCIPAL	.00	.00	120,000.00	120,000.00	.0
<b>TOTAL DEBT SERVICE</b>	<b>.00</b>	<b>.00</b>	<b>272,838.00</b>	<b>272,838.00</b>	<b>.0</b>
<b>TOTAL FUND EXPENDITURES</b>	<b>21,787.55</b>	<b>87,069.84</b>	<b>658,601.00</b>	<b>571,531.16</b>	<b>13.2</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>36,980.16</b>	<b>148,056.74</b>	<b>44,799.00</b>	<b>( 103,257.74)</b>	<b>330.5</b>







## MEMORANDUM

**TO:** Mayor and Board of Trustees  
**FROM:** Claudia Werner, Deputy Town Clerk  
**RE:** Continued Public Hearing for Linda Plue's SUP Application  
**DATE:** May 18, 2017

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This is a continuation of the Public Hearing for a Special Use Permit Application submitted by Linda Plue for her property located at 411 U S Hwy 285. She was unable to attend the May 1<sup>st</sup> meeting because she had an accident resulting in a broken arm. Ron will present the case and the applicant should be present to answer any questions you may have.

Should the Board decide to approve Resolution #6, series of 2017, this will require a motion, second and voice vote.

**TOWN OF FAIRPLAY, COLORADO  
RESOLUTION #6  
(Series 2017)**

**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF  
FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION  
FOR A SPECIAL USE PERMIT FOR LINDA PLUE**

**WHEREAS**, on February 1, 2017, Linda Plue (hereinafter referred to as Applicant) submitted an Application to the Town of Fairplay, Colorado, for a Special Use Permit to allow for the continued use of a shipping container on Fairplay Johnson Addition, Block 7, Lots 1 through 9, located at 411 U S Highway 285, Fairplay, Colorado, and

**WHEREAS**, the Board of Trustees at its May 1, 2017, regularly scheduled meeting did review said application and did continue the public hearing to June 5, 2017, because the applicant was unable to attend the May 1 meeting, and

**WHEREAS**, the Board of Trustees at its June 5, 2017, regularly scheduled meeting did discuss and approve of the granting of a Special Use Permit to allow for the continued use of a shipping container at 411 U S Highway 285, and

**WHEREAS**, the Board of Trustees for the Town of Fairplay, Colorado, finds that notice of the public hearing on Applicant's application was properly and timely published and mailed as per Fairplay Municipal Code UDC Article IV, Section 16-4-10, and

**WHEREAS**, The Board of Trustees has evaluated the application in accordance with the standards set forth in the Fairplay Municipal Code UDC Article VI and reviewed, and considered recommendations, comments, and arguments of Town staff and the public, and

**WHEREAS**, the Board of Trustees finds and determines that the proposed special use will not adversely impact the neighborhood or the public safety and welfare.

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

1. The applicant's request for a Special Use Permit is hereby granted for the continued use of a shipping container on Fairplay Johnson Addition, Block 7, Lots 1 through 9, located at 411 U S Highway 285, Fairplay, Colorado.
2. The Board hereby determines that this Special Use Permit SHALL NOT run with the land, but rather be personal to the applicant and terminate upon sale of the property.

3. This approval is for the existing unit only, no stacking, increase in height, addition to or replacement of unit.
4. No signage on unit, the unit SHALL be painted a uniform color compatible with the existing structure on this property.
5. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this Resolution 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 Resolution is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Board of Trustees further determines that the Resolution bears a rational relation to the proper legislative object sought to be attained.
6. Severability. If any clause, sentence, paragraph or part of this Resolution or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.
7. Effective Date. This Resolution shall become effective immediately.

**RESOLVED, APPROVED AND ADOPTED this 5<sup>th</sup> day of June, 2017.**

\_\_\_\_\_  
Gabby Lane, Mayor

(SEAL)

**ATTEST:**

\_\_\_\_\_  
Tina Darrah, Town Clerk

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**TOWN OF FAIRPLAY  
TOWN PLANNER REPORT**

---

2017-04

**CALAMITY'S CABIN  
SPECIAL USE PERMIT**

- **APPLICANT:** Linda Plue
- **PROPERTY LOCATION:** 411 Highway 285
- **FUTURE LAND USE DESIGNATION:** Commercial
- **CURRENT ZONING:** Commercial (C)
- **REQUEST:** Special Use Permit to allow continued use of Shipping Container

**SUMMARY OF APPLICATION**

The property at 411 Highway 285 consists of a 0.61-acre parcel containing Calamity's Cabin. The property is zoned Commercial (C) and is designated on the Comprehensive Plan as Commercial.

The owner is requesting a Special Use Permit to allow the continued use of one (1) metal shipping container which is used as storage for the business.



**Calamity's Cabin Shipping Container**

Fairplay Ordinance 2016-4 specifies that "Metal shipping or storage containers, trailers, recreational vehicles and similar devices or facilities are prohibited for use as storage sheds except in the Light Industrial Zone District." The ordinance further stipulates that these devices may be used as temporary construction storage in any zone district and may be used in portions of the Commercial zone district outside of the Town Center upon issuance of a Special Use Permit by the Board of Trustees.

### COMPLIANCE WITH FAIRPLAY COMPREHENSIVE PLAN

- The Commercial land use designation is situated on either side of Highway 285, supporting larger, more intensive commercial uses.
- This area emphasizes automobile circulation but still provides excellent accessibility for pedestrians and bicycles.
- Architectural character is more contemporary, but still emphasizes good design, landscaped parking, attractive signage and screened storage.
- Some residential uses are accessory to the business functions and are located on the second story or in the rear of structures. Residential uses primarily serve employees of the business.
- Buildings are set back from Highway 285 to buffer the uses and permits highway side parking.
- Large parking areas incorporate landscaped islands and where possible, parking is located on the side or rear of businesses.
- Exterior lighting and street lighting utilizes downcast shielded fixtures that minimize lighting trespass, glare and is aimed to a target and is only used where necessary to protect the views of Fairplay's night skies.
- Consistent thematic signage invites the traveling public to Fairplay and provides clear information about businesses, services and community landmarks

### COMPLIANCE WITH FAIRPLAY UNIFIED DEVELOPMENT CODE

Fairplay Ordinance 2016-4 specifies that a **Metal Shipping or Storage Container** is a **Special Use** in Commercial (C) zoning.

A special use is a use that is not allowed as a matter of right or without restriction in a zone district but may be permitted subject to terms and conditions specified by the Board of Trustees.

A special use permit may be granted by the Board of Trustees only after finding that the proposed special use will not adversely affect the neighborhood or the public safety and welfare. These findings should consider the following factors:

- Ingress and egress to the property for vehicles, pedestrians and emergency vehicles
- The need for and adequacy of off street parking
- Noise, glare and odor of the special use on surrounding properties
- Refuse and service areas
- Utilities, regarding location, availability and compatibility
- Screening and buffering, regarding type, dimensions and character
- Signs
- Proposed exterior lighting
- Required yards and other open spaces
- General compatibility with adjacent property and other property in the neighborhood

## **PROJECT ANALYSIS**

The special use permit application is complete and the public has been notified.

The proposed special use permit for one (1) Metal Shipping Container would allow the applicant, Linda Plue, to continue the use of the container on her commercial property, Calamity's Cabin.

The subject metal shipping containers are known in the industry as intermodal containers. They are standardized shipping containers, designed and built for intermodal freight transport, meaning these containers can be used across different modes of transport – from ship to rail to truck – without unloading and reloading their cargo. These containers are a means to bundle cargo and goods into larger loads that can be easily handled, moved, and stacked, and that will pack tightly in a ship or yard.

Intermodal containers have, in recent years, been repurposed and marketed as on-site storage buildings, such as the one on-site at Calamity's Cabin. Mrs. Plue has stated that the container is ideal for storing antique items and other sales items for her store.

In reviewing the application, the Town Planner finds that:

1. Ingress and egress to the property would not be impeded by the continued use of this container.
2. The business is required to have 10.26 parking spaces, based on the UDC requirement of 1 space per 400 square feet of gross floor area. In addition, the residence in the upper floor is required to have 1.5 spaces, for a total of 12 spaces. Although parking is not delineated on the site, parking is sufficient with the existence of the shipping container.
3. The shipping container has no noise, glare or odor associated with its use.
4. Refuse and service areas are not affected by the continued use of the container.
5. The existing container has no painted signage or advertising.
6. There is no exterior lighting associated with the container.
7. The container does not encroach on any required setbacks.
8. The general compatibility with adjacent property and other property in the neighborhood does not appear to be affected.

The proposal appears to be in substantial compliance with the Fairplay Comprehensive Plan.

*Prepared by:*  
Ron Newman  
Fairplay Town Planner

*copy:* Linda Plue, Applicant  
Tina Darrah, Town Manager  
Lee Phillips, Town Attorney



# DEVELOPMENT APPLICATION

TOWN OF FAIRPLAY  
PO Box 267  
FAIRPLAY, CO 80440  
719-836-2622

## APPLICATION TYPE

- |                                                          |                                                        |
|----------------------------------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> Planned Unit Development        | <input type="checkbox"/> Variance                      |
| <input type="checkbox"/> Subdivision                     | <input checked="" type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Zoning Map Amendment (Rezoning) | <input type="checkbox"/> Architectural Review          |

### APPLICANT INFORMATION

Applicant: Linda Lee Plue Date: 2-1-17  
Applicant's Address: 411 US Hwy 285  
Fairplay, Co. 80440  
Applicant's Phone: 719-836-0555 Fax: None  
Email Address: Calamityscabin@hotmail.com

### OWNER INFORMATION

Applicant's Relationship to Owner: SAME  
Owner: LINDA L. PLUE  
Owner's Address: PO Box 125  
Owner's Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: \_\_\_\_\_

### PROPERTY INFORMATION

Address: 411 US Hwy 285  
Parcel #: 1-9 540  
Subdivision: TOWNSHIP ADDITION  
Lot: 1-9 Block: 7  
Existing Zoning: C  
Number of Acres: 0.61

PROJECT PROPOSAL

General Description of Project:

I CURRENTLY HAVE A pretty New Container  
At my Business on 411 US Hwy 285, Fairplay, Mo.  
80448. It is sitting by my back area  
behind partial retaining wall. I use it  
for storage.

SIGNATURES

I declare under the penalty of perjury that the above information is true and correct to the best of my knowledge.

Diana Dee Blue  
Owner

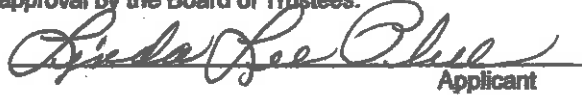
2-1-17  
Date

The owner and/or applicant must be present at all meetings and hearings. All public hearings must be properly noticed according to the Fairplay Municipal Code. All submittal requirements must be met and signatures of all owners of the property must appear before the application will be accepted by the Town of Fairplay. Partnerships or corporations may have the authorized general partner or corporate officer sign the application. (Attach additional pages if necessary.)



NOTE: No application will be accepted or processed unless it is complete and all fees are paid. In the event the town must retain outside professional services to process or evaluate an application, the applicant shall bear the cost of same, inclusive of engineering and legal fees, in addition to the base application fee. A deposit to cover the reasonable anticipated costs for outside professional services may be required at the time of application. All applications shall be evaluated under the standards and requirements set forth in Section 15 of the Zoning Code and must be accompanied by seven (7) copies of a proposed site plan/plat prepared by a professional engineer or surveyor.

I hereby certify that I am the applicant named above and that the information contained herein and on any attachments hereto is in all respects true and accurate to the best of my knowledge and belief. I also understand that a building permit may not be issued for the property subject to this application until the application receives final approval by the Board of Trustees.

  
Applicant

---

FOR TOWN USE ONLY

Application Checklists

- Complete Application.
- Proof of Ownership (deed) for project property
- Written authorization from property owner(s) for agent (if applicable)
- Existing PUD plat/recording information
- Proposed site development plan/plat (7 copies). If there are structures on property, they must be on plat with all dimensions
- List of persons entitled to notice (by name and mailing address)
- Mailing envelopes (stamped and addressed) for persons entitled to notice
- Proposed development improvements agreement (if applicable). (3 copies)
- Fees and/or deposit
- Other \_\_\_\_\_

# Park County Assessor

## Property Detail Information

[Tax Information](#) | [Site Characteristics](#) | [Building Information](#) | [Deed Information](#)

[Property Detail](#) | [Value Detail](#) | [Building Detail](#) | [Sales Detail](#) | [Owner Detail](#) | [Mill Levy Revenues Detail](#)

[Assessor Property Search](#) | [Assessor Subset Query](#) | [Assessor Sales Search](#) | [Assessor Home Page](#)

Tax Area	Schedule Number	Account Type
0002	540	Mixed Use- Com

### Primary Owner Name and Address

PLUE LINDA L
PO BOX 125
FAIRPLAY, CO 80440-0125

### Additional Owner Detail

#### Business Name

CALAMITY'S CABIN
------------------

#### Legal Description

T09 R77 S34 SW4
FAIRPLAY JOHNSON ADDITION
BLOCK 7 LOT 01 THRU 9

#### Physical Address

411 HWY 285 FAIRPLAY
----------------------

### Tax Information

#### 2016 Tax Year

	Actual Value	Assessed Value
Land:	109,792	31,840
Improvements:	250,463	60,520

© 2004 FIRST BANK OF CALIFORNIA

82504/1070

1951

Calamity's Cabin  
411 Hwy. 285  
P.O. Box 128  
Fairplay, CO 80440  
9703437578

Date 2-1-17

Pay to the  
order of

*Two hundred fifty*  
*One Hundred fifty*

\$ 150.00

PERMIT  

FIRSTBANK

WWW.FIRSTBANK.COM  
800.451.3444

For *App Fee - SUP*

*Debra J. [Signature]*

⑆ 10700504 7⑆ 2745558805⑆ 1951



**Town of Fairplay**  
901 Main Street • P.O. Box 267  
Fairplay, Colorado 80440  
(719) 836-2622 phone  
(719) 836-3279 fax  
[www.fairplayco.us](http://www.fairplayco.us)

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April 18, 2017

**Notice of Public Hearing**  
**Regarding the land use application for a Special Use Permit for the property**  
**located at 411 U S Highway 285 in the Town of Fairplay:**

This is to advise you that on Monday, May 1, 2017 at 6:00 p.m. the Board of Trustees for the Town of Fairplay will conduct a public hearing at the Fairplay Town Hall, 901 Main Street, Fairplay, Colorado, concerning:

A request to approve the proposed special use permit for the property located at 411 U S Highway 285 in the Town of Fairplay. Specifically, the applicant seeks to obtain a special use permit for the Commercial (C) zoned property to allow for the existing storage container, "Conex", to remain on the property.

The applicant is Linda L Plue.

As an adjoining property owner, you may approve or object to the requested land use application. You may appear at the Fairplay Board of Trustees meeting as noted above, or you may address your concerns to the Town of Fairplay, PO Box 267, Fairplay, CO 80440. Please call (719) 836-2622 with any questions.

Certificate of Mailing Attached.

## CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing Notice of Public Hearing Regarding the land use application for a Special Use Permit, located at 411 U S Highway 285 in the Town of Fairplay was placed in the United States mail, postage prepaid, first class, this 18<sup>th</sup> day of April, 2017, addressed to:

Sch#540  
Linda L Plue  
P O Box 125  
Fairplay, CO 80440

Sch#s32360, 542  
351 Hwy 285 LLC  
1010 Costello LLC  
P O Box 2049  
Buena Vista, CO 81211

Sch#329  
Anannt Enterprises LLC  
P O Box 187  
Fairplay, CO 80440

Sch#410  
Alfred W & Patricia J Stoinski  
Trust Dated 11/04/1994  
P O Box 1909  
Fairplay, CO 80440

Sch#s491, 468  
Blackwell Oil Company Inc  
Blackwell Family LLC  
P O Box 3333  
Idaho Springs, CO 80452

Sch#45904  
Todd & Carla Scholl  
P O Box 161  
Fairplay, CO 80440

Sch#41368  
Claudia R & Peter S Werner  
P O Box 327  
Fairplay, CO 80440

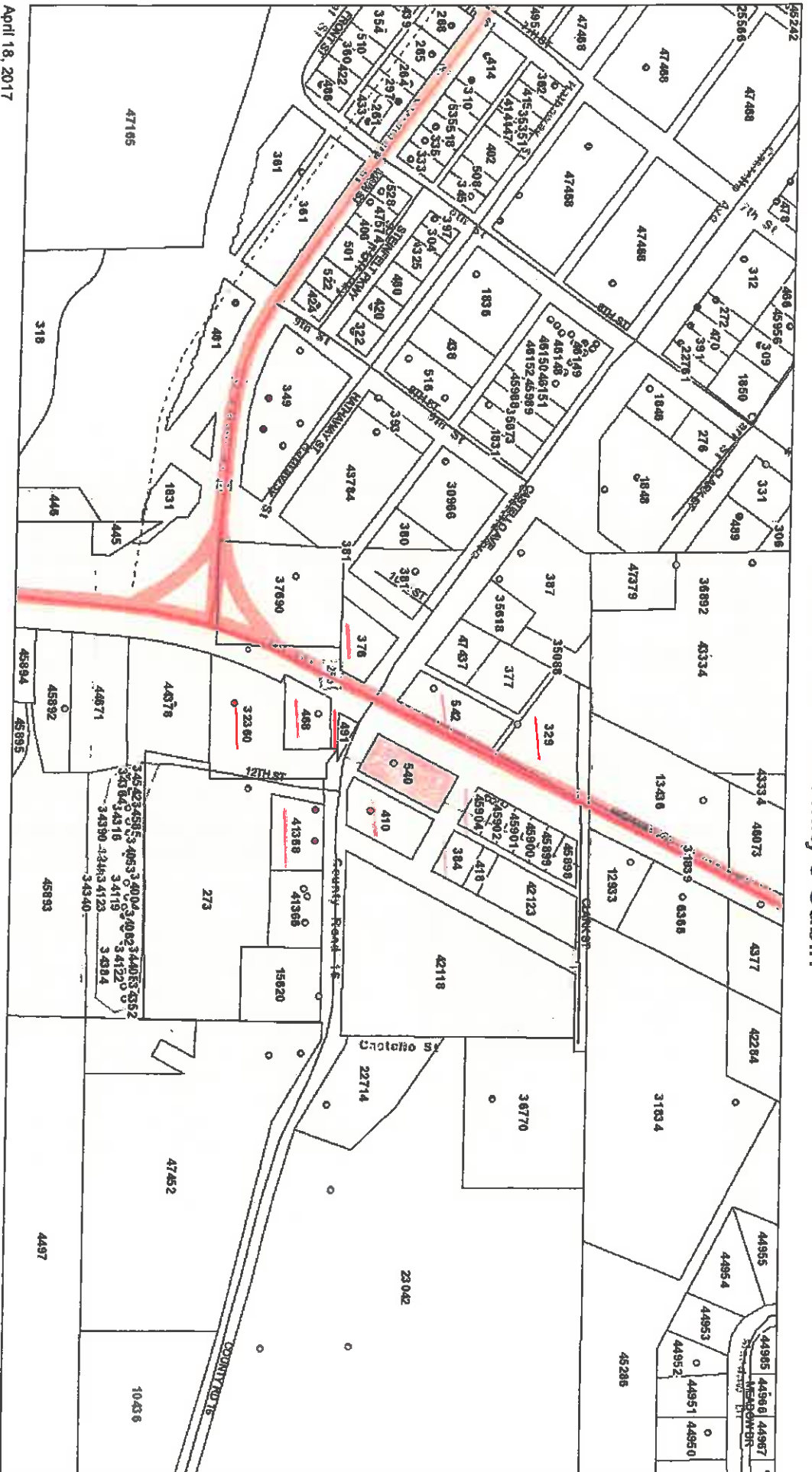
Sch#376  
Vincent Leo Smith  
P O Box 82  
Fairplay, CO 80440

Sch#384  
Robert Douglas Tilley  
Valerie Jean Tilley  
P O Box 396  
Fairplay, CO 80440



\_\_\_\_\_  
Claudia Werner – Deputy Town Clerk

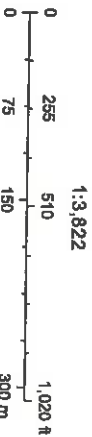
# Linda Plue - Calamity's Cabin



April 18, 2017

- Primary\_Address Parcels/DBO/Roads\_Update\_02072018
- Parcel
- COUNTIES
- PARK
- ALLEY
- COUNTY RD
- DRIVEWAY
- FOREST SERVICE RD
- LOCAL
- PRIVATE
- ST HWY
- TRAIL
- UNNAMED STREET
- US HWY
- USFS Park County Roads

World Street Map



Sources: Esri, HERE, DeLorme, USGS, Imagery, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (The GIS User Community), NCCO, OpenStreetMap contributors, and USFS Forest Service, Park County

**NOTICE OF PUBLIC HEARING  
BEFORE THE FAIRPLAY BOARD OF  
TRUSTEES  
CONCERNING A SPECIAL USE PERMIT  
APPLICATION**

A Public Hearing will be held before the Fairplay Board of Trustees at Fairplay Town Hall, 901 Main Street, Fairplay, Colorado, on May 1, 2017 at 6:00 p.m. concerning an application for a Special Use Permit (SUP) on the property located at 411 U S Highway 285 in the Town of Fairplay. Applicant seeks to obtain a SUP for the Commercial (C) zoned property to allow for the existing storage container, "Conex", to remain on the property. The applicant for the SUP is Linda Plue. For further information contact the Fairplay Town Hall at 719-836-2622.

As published in the Park County Republican and Fairplay Flume on Apr. 14, 2017.

**(NOTICE OF PUBLIC HEARING)**

**AFFIDAVIT**

Regarding the Required Posting of Property:  
411 U S Hwy 285  
Fairplay, CO 80440

I, Kathleen White, hereby certify that I have posted the  
property: 411 U S Hwy 285, with the proper notice for:

**Public Hearing before the Town of Fairplay on a Special Use Permit Request.**

Date of Posting: 4-19-17

Date of Affidavit: 4-19-17

Kathleen White  
Town of Fairplay Staff



**MAYOR'S OPENING STATEMENT  
SPECIAL USE PERMIT HEARING FOR 249 U S HWY. 285**

MAYOR LANE:

I WILL NOW OPEN THE PUBLIC HEARING ON THE APPLICATION OF STAN KOPUNEC FOR A SPECIAL USE PERMIT ON THE PROPERTY LOCATED AT 249 U S HWY. 285.

THE FAIRPLAY BOARD OF TRUSTEES, ACTING AS THE LOCAL ZONING AUTHORITY, HAS JURISDICTION TO CONDUCT THIS PUBLIC HEARING UNDER SECTION 31-23-301 OF THE COLORADO REVISED STATUTES AND UDC ARTICLE VI OF THE FAIRPLAY MUNICIPAL CODE. NOTICE OF THIS HEARING HAS BEEN GIVEN BY POSTING, MAILING AND PUBLICATION IN THE MANNER REQUIRED BY SECTION 16-4-10 OF THE FAIRPLAY MUNICIPAL CODE, UDC ARTICLE IV, AND EVIDENCE OF SUCH NOTICE IS HEREBY MADE A PART OF THE RECORD OF THIS PROCEEDING.

THE PURPOSE OF THIS HEARING IS TO CONSIDER THE APPLICATION OF STAN KOPUNEC FOR A SPECIAL USE PERMIT ON THE SUBJECT PROPERTY. THE APPLICANT SEEKS APPROVAL OF THE SUP TO ALLOW TEMPORARY SHIPPING CONTAINERS FOR A DEVELOPMENT PROJECT ON THE COMMERCIAL ZONED PROPERTY.

THE PROCEDURE TO BE FOLLOWED IN THIS CASE WILL BE AS FOLLOWS:

1. STAFF COMMENT WILL BE PRESENTED.
2. THE APPLICANT, OR THE APPLICANT'S LEGAL COUNSEL, MAY GIVE AN OPENING STATEMENT.
3. FOLLOWING THE OPENING STATEMENT, IF ANY, THE APPLICANT AND ANY OTHER PERSONS SUPPORTING THE APPLICATION MAY PRESENT ANY EVIDENCE SUPPORTING THE PROPOSED SPECIAL USE PERMIT ON THE SUBJECT PROPERTY.
4. AT THE CONCLUSION OF THE APPLICANT'S CASE, ANY PERSONS OPPOSING THE PROPOSED SPECIAL USE PERMIT ON THE SUBJECT PROPERTY MAY PRESENT EVIDENCE.
5. THE APPLICANT MAY THEN PRESENT ANY REBUTTAL EVIDENCE.

THIS HEARING IS BEING RECORDED AND I WILL CAUTION ALL WITNESSES AND ATTENDEES THAT THEY MUST IDENTIFY THEMSELVES BEFORE SPEAKING AND THAT THEY MUST SPEAK CLEARLY SO THE RECORDING DEVICE CAN RECORD THEIR COMMENTS. COMMENTS OR INTERRUPTIONS FROM MEMBERS OF THE AUDIENCE DURING TESTIMONY WILL INTERFERE WITH THE PROCEEDING AND WILL NOT BE ALLOWED.

ARE THERE ANY OBJECTIONS TO THE JURISDICTION OF THE BOARD OF TRUSTEES OR TO THE PROCEDURE WHICH I HAVE JUST DESCRIBED?

HEARING NONE, STAFF WILL NOW PRESENT THE CASE.

5/15/17  
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**TOWN OF FAIRPLAY, COLORADO  
RESOLUTION #10  
(Series 2017)**

**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF  
FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION  
FOR A SPECIAL USE PERMIT FOR STAN KOPUNEC**

**WHEREAS**, on February 1, 2017, Stan Kopunec (hereinafter referred to as Applicant) submitted an Application to the Town of Fairplay, Colorado, for a Special Use Permit to allow four temporary shipping containers for a development project on Fairplay River Business Park, Parcel A, located at 249 U S Highway 285, Fairplay, Colorado, and

**WHEREAS**, the Board of Trustees at its June 5, 2017, regularly scheduled meeting did review said application and did discuss and approve of the granting of a Special Use Permit to allow four temporary shipping containers for a development project at 249 U S Highway 285, and

**WHEREAS**, the Board of Trustees for the Town of Fairplay, Colorado, finds that notice of the public hearing on Applicant's application was properly and timely published and mailed as per Fairplay Municipal Code UDC Article IV, Section 16-4-10, and

**WHEREAS**, The Board of Trustees has evaluated the application in accordance with the standards set forth in the Fairplay Municipal Code UDC Article VI and reviewed, and considered recommendations, comments, and arguments of Town staff and the public, and

**WHEREAS**, the Board of Trustees finds and determines that the proposed special use will not adversely impact the neighborhood or the public safety and welfare.

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

1. The applicant's request for a Special Use Permit is hereby granted for the continued use of four shipping containers on Fairplay River Business Park, Parcel A, located at 249 U S Highway 285, Fairplay, Colorado, for a period of 36 months from the date of this approval.
2. The Board hereby determines that this Special Use Permit SHALL NOT run with the land, but rather be personal to the applicant and terminate upon sale of the property.
3. This approval is for the existing units only, no stacking, increase in height, addition to or replacement of units.

4. No signage on units. If signage exists on the units, they SHALL be painted a uniform color compatible with the existing permanent structure on this property. This painting shall be completed at a date determined by the Board of Trustees.
5. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this Resolution 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 Resolution is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Board of Trustees further determines that the Resolution bears a rational relation to the proper legislative object sought to be attained.
6. Severability. If any clause, sentence, paragraph or part of this Resolution or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.
7. Effective Date. This Resolution shall become effective immediately.

**RESOLVED, APPROVED AND ADOPTED this 5<sup>th</sup> day of June, 2017.**

\_\_\_\_\_  
Gabby Lane, Mayor

(SEAL)

ATTEST:

\_\_\_\_\_  
Tina Darrah, Town Clerk

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**TOWN OF FAIRPLAY  
TOWN PLANNER REPORT**

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2017-08

**RIVERSIDE INN  
SPECIAL USE PERMIT**

- **APPLICANT:** Stan Kopunec
- **PROPERTY LOCATION:** River Business Park 249 Hwy 285
- **FUTURE LAND USE DESIGNATION:** Commercial
- **CURRENT ZONING:** Commercial (C)
- **REQUEST:** Special Use Permit to allow continued use of 4 Shipping Containers

**SUMMARY OF APPLICATION**

The property at 249 Highway 285 consists of a 6.41-acre parcel, recently subdivided into 4 lots. Lot 1 contains the Riverside Inn and one shipping container. Lots 2 and 3 are vacant. Lot 4 contains three shipping containers. The property is zoned Commercial (C) and is designated on the Comprehensive Plan as Commercial.

The owner is requesting a Special Use Permit to allow the temporary use of three (3) metal shipping containers on lot 4 and 1 metal shipping container on lot 1, in the rear yard of the hotel. These containers are used as storage and the applicant wants to continue that use for 3 years. Mr. Kopunec plans to develop the lot to the south of the hotel, although no application has been submitted.

Fairplay Ordinance 2016-4 specifies that "Metal shipping or storage containers, trailers, recreational vehicles and similar devices or facilities are prohibited for use as storage sheds except in the Light Industrial Zone District." The ordinance further stipulates that these devices may be used as temporary construction storage in any zone district and may be used in portions of the Commercial zone district outside of the Town Center upon issuance of a Special Use Permit by the Board of Trustees

**COMPLIANCE WITH FAIRPLAY COMPREHENSIVE PLAN**

- The Commercial land use designation is situated on either side of Highway 285, supporting larger, more intensive commercial uses.
- This area emphasizes automobile circulation but still provides excellent accessibility for pedestrians and bicycles.
- Architectural character is more contemporary, but still emphasizes good design, landscaped parking, attractive signage and screened storage.
- Some residential uses are accessory to the business functions and are located on the second story or in the rear of structures.
- Residential uses primarily serve employees of the business.
- Buildings are set back from Highway 285 to buffer the uses and permits highway side parking.

- Large parking areas incorporate landscaped islands and where possible, parking is located on the side or rear of businesses.
- Exterior lighting and street lighting utilizes downcast shielded fixtures that minimize lighting trespass, glare and is aimed to a target and is only used where necessary to protect the views of Fairplay's night skies.
- Consistent thematic signage invites the traveling public to Fairplay and provides clear information about businesses, services and community landmarks

### **COMPLIANCE WITH FAIRPLAY UNIFIED DEVELOPMENT CODE**

Fairplay Ordinance 2016-4 specifies that a **Metal Shipping or Storage Container** is a **Special Use** in Commercial (C) zoning.

A special use is a use that is not allowed as a matter of right or without restriction in a zone district but may be permitted subject to terms and conditions specified by the Board of Trustees.

A special use permit may be granted by the Board of Trustees only after finding that the proposed special use will not adversely affect the neighborhood or the public safety and welfare. These findings should consider the following factors:

- Ingress and egress to the property for vehicles, pedestrians and emergency vehicles
- The need for and adequacy of off street parking
- Noise, glare and odor of the special use on surrounding properties
- Refuse and service areas
- Utilities, regarding location, availability and compatibility
- Screening and buffering, regarding type, dimensions and character
- Signs
- Proposed exterior lighting
- Required yards and other open spaces
- General compatibility with adjacent property and other property in the neighborhood

### **PROJECT ANALYSIS**

The special use permit application is complete and the public has been notified.

The proposed special use permit for four (4) Metal Shipping Containers would allow the applicant, Stan Kopunec, to continue the use of the containers on his commercial property for a period of 36 months while further construction is occurring on the properties that he owns.

The subject metal shipping containers are known in the industry as intermodal containers. They are standardized shipping containers, designed and built for intermodal freight transport, meaning these containers can be used across different modes of transport – from ship to rail to truck – without unloading and reloading their cargo. These containers are a means to bundle cargo and goods into

larger loads that can be easily handled, moved, and stacked, and that will pack tightly in a ship or yard.

Intermodal containers have, in recent years, been repurposed and marketed as on-site storage buildings, such as the ones on-site at the Riverside Inn and adjacent parcel.

In reviewing the application, the Town Planner finds that:

1. Ingress and egress to the property would not be impeded by the continued use of the containers.
2. Parking is not affected by the existence of the shipping containers.
3. The shipping containers produce no noise, glare or odor associated with the use.
4. Refuse and service areas are not affected by the continued use of the containers.
5. The existing containers have painted signage.
6. There is no exterior lighting associated with the containers.
7. The containers do not encroach on any required setbacks.
8. The general compatibility with adjacent property and other property in the neighborhood does not appear to be affected.

The proposal appears to be in substantial compliance with the Fairplay Comprehensive Plan. The UDC states that signage should be taken under consideration as criteria for approval or denial.

The Board of Trustees has determined that there are several conditions that will be attached to all Special Use Permits associated with metal shipping containers. These conditions are as follows:

1. The Special Use Permit shall not run with the land, but rather be personal to the applicant and terminate upon sale of the property.
2. The approval is for the existing unit(s) only, no stacking, increase in height, addition to or replacement of unit.
3. No signage on unit. If signage exists on the unit, it shall be painted a uniform color compatible with the existing structure(s) on the property. This painting shall be completed at a date determined by the Board of Trustees.

*Prepared by:*  
Ron Newman  
Fairplay Town Planner

*copy:* Stan Kopunec, Applicant  
Tina Darrah, Town Manager  
Lee Phillips, Town Attorney

2017-07



# DEVELOPMENT APPLICATION

## TOWN OF FAIRPLAY

PO Box 267  
FAIRPLAY, CO 80440  
719-836-2622

### APPLICATION TYPE

- |                                                          |                                                                                   |
|----------------------------------------------------------|-----------------------------------------------------------------------------------|
| <input type="checkbox"/> Planned Unit Development        | <input type="checkbox"/> Variance                                                 |
| <input type="checkbox"/> Subdivision                     | <input checked="" type="checkbox"/> Special Use Permit <i>Shipping Containers</i> |
| <input type="checkbox"/> Zoning Map Amendment (Rezoning) | <input type="checkbox"/> Architectural Review                                     |

### APPLICANT INFORMATION

Applicant: Stan Kopunec Date: 2-1-2017  
 Applicant's Address: 249 Highway 285 - P O Box 1387  
FAIRPLAY, CO 80440  
 Applicant's Phone: 719-836-2700 Fax: \_\_\_\_\_  
 Email Address: Stans Ranch@yahoo.com

### OWNER INFORMATION

Applicant's Relationship to Owner: SAME  
 Owner: \_\_\_\_\_  
 Owner's Address: \_\_\_\_\_  
 Owner's Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

### PROPERTY INFORMATION

Address: 249 US Hwy 285, Fairplay, CO. 80440  
 Parcel #: 45538  
 Subdivision: FAIRPLAY RIVER BUSINESS PARK  
 Lot: PARCEL A Block \_\_\_\_\_  
 Existing Zoning: COMMERCIAL  
 Number of Acres: 6.41

**PROJECT PROPOSAL**

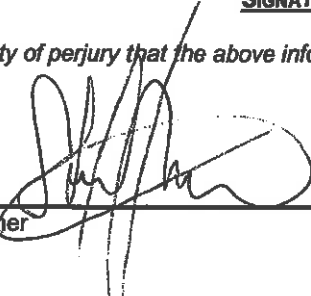
**General Description of Project:**

Temporary Shipping Container Storage for  
Development Project for Riverside Inn Hotel  
ON NEW PARCEL 4  
3 YES  
3 CONTAINERS

**SIGNATURES**

I declare under the penalty of perjury that the above information is true and correct to the best of my knowledge.

Owner



Date


2-1-17

The owner and/or applicant must be present at all meetings and hearings. All public hearings must be properly noticed according to the Fairplay Municipal Code. All submittal requirements must be met and signatures of all owners of the property must appear before the application will be accepted by the Town of Fairplay. Partnerships or corporations may have the authorized general partner or corporate officer sign the application. (Attach additional pages if necessary.)



NOTE: No application will be accepted or processed unless it is complete and all fees are paid. In the event the town must retain outside professional services to process or evaluate an application, the applicant shall bear the costs of same, inclusive of engineering and legal fees, in addition to the base application fee. A deposit to cover the reasonable anticipated costs for outside professional services may be required at the time of application. All applications shall be evaluated under the standards and requirements set forth in Section 15 of the Zoning Code and must be accompanied by seven (7) copies of a proposed site plan/plat prepared by a professional engineer or surveyor.

I hereby certify that I am the applicant named above and that the information contained herein and on any attachments hereto is in all respects true and accurate to the best of my knowledge and belief. I also understand that a building permit may not be issued for the property subject to this application until the application receives final approval by the Board of Trustees.

  
\_\_\_\_\_  
Applicant

FOR TOWN USE ONLY

Application Checklists

- Complete Application.
- Proof of Ownership (deed) for project property *on file*
- Written authorization from property owner(s) for agent (if applicable)
- Existing PUD plat/recording information
- Proposed site development plan/plat (7 copies). If there are structures on property, they must be on plat with all dimensions
- List of persons entitled to notice (by name and mailing address) *on file*
- Mailing envelopes (stamped and addressed) for persons entitled to notice
- Proposed development improvements agreement (if applicable). (3 copies)
- Fees and/or deposit
- Other \_\_\_\_\_

# POWER OF ATTORNEY

### Definition of Agent

As used in this document, the term "Agent" shall include all agent(s), attorney(s)-in-fact, attorneys-in-fact / agents, and mandatary or mandataries who are appointed herein.

TO ALL PERSONS, be it known, that I, Paul D. Kampbell, the undersigned Principal, who resides at 2455 FM 1781, City of Rockport, County of Aransas, State of Texas, do hereby appoint Stanley Kopunec as my Agent, and \_\_\_\_\_ as my Agent, who  must act jointly  may act separately on my behalf.

At the time of the execution of this Durable Power of Attorney,

Stanley Kopunec resides at 249 Hwy. 285, City of Fairplay, County of Park, State of Colorado.

At the time of the execution of this Durable Power of Attorney,

\_\_\_\_\_ resides at \_\_\_\_\_, City of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_.

If one of my Agents is unable to serve for any reason,  I authorize the remaining named Agent to act as my sole Agent OR  I designate \_\_\_\_\_, residing at \_\_\_\_\_, City of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_, to serve in that person's place.

If both of my Agents are unable to serve for any reason, I designate

\_\_\_\_\_ , residing at \_\_\_\_\_, City of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_, as my Successor Agent.

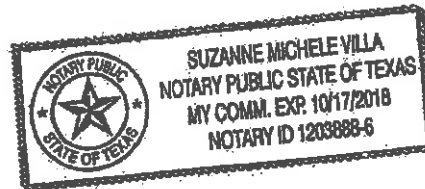
To whom it may concern:

I, Paul D. Kampbell give Stanley Kopunec permission to sign my name for me on documents for  
Riverside Business Park. Minor Sub Division, Parcel A.

This authority is only for the documents necessary to complete the sub division described above only.

Principal Paul D. Kampbell

State of Texas County of Aransas  
Subscribed and sworn before me on April 11, 2017  
Suzanne Michele Villa (Date)  
Suzanne Michele Villa  
(Notary Signature)



A RIVERSIDE INN LLC  
PO BOX 1297 249 HWY 285  
RIVERVIEW MO 64440

4747  
824571021

4-17-2017  
DATE

REPAYMENT

TO THE ORDER OF  
*John & Mary*  
*[Signature]*

\$ 60 -  
DOLLARS

⑆ 302101877162916990 ⑆ 4747



**Town of Fairplay**  
901 Main Street • P.O. Box 267  
Fairplay, Colorado 80440  
(719) 836-2622 phone  
(719) 836-3279 fax  
[www.fairplayco.us](http://www.fairplayco.us)

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May 19, 2017

**Notice of Public Hearing**  
**Regarding the land use application for a Special Use Permit for the property**  
**located at 249 U S Highway 285 in the Town of Fairplay:**

This is to advise you that on Monday, June 5, 2017 at 7:00 p.m. the Board of Trustees for the Town of Fairplay will conduct a public hearing at the Fairplay Town Hall, 901 Main Street, Fairplay, Colorado, concerning:

A request to approve the proposed special use permit for the property located at 249 U S Highway 285 in the Town of Fairplay. Specifically, the applicant seeks to obtain a special use permit for the Commercial (C) zoned property to allow temporary shipping containers for a development project.

The applicant is Stan Kopunec.

As an adjoining property owner, you may approve or object to the requested land use application. You may appear at the Fairplay Board of Trustees meeting as noted above, or you may address your concerns to the Town of Fairplay, PO Box 267, Fairplay, CO 80440. Please call (719) 836-2622 with any questions.

Certificate of Mailing Attached.

## CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing Notice of Public Hearing Regarding the land use application for a Special Use Permit, located at 249 U S Highway 285 in the Town of Fairplay was placed in the United States mail, postage prepaid, first class, this 19<sup>th</sup> day of May, 2017, addressed to:

Sch#45538, 45539  
Stan Kopunec  
Paul Kampbell  
P O Box 128  
Fairplay, CO 80440-0128

Sch#45903  
Stan and Jarina Kopunec  
P O Box 128  
Fairplay, CO 80440-0128

Sch#5193  
Peaks Investments FP LLC  
Peaks Investments GP LLC  
C/O Bob Brands  
P O Box 3083  
McKinney, TX 75070-8183

Sch#5298  
Shun Mei Sung  
David Lee  
P O Box 792  
Fairplay, CO 80440

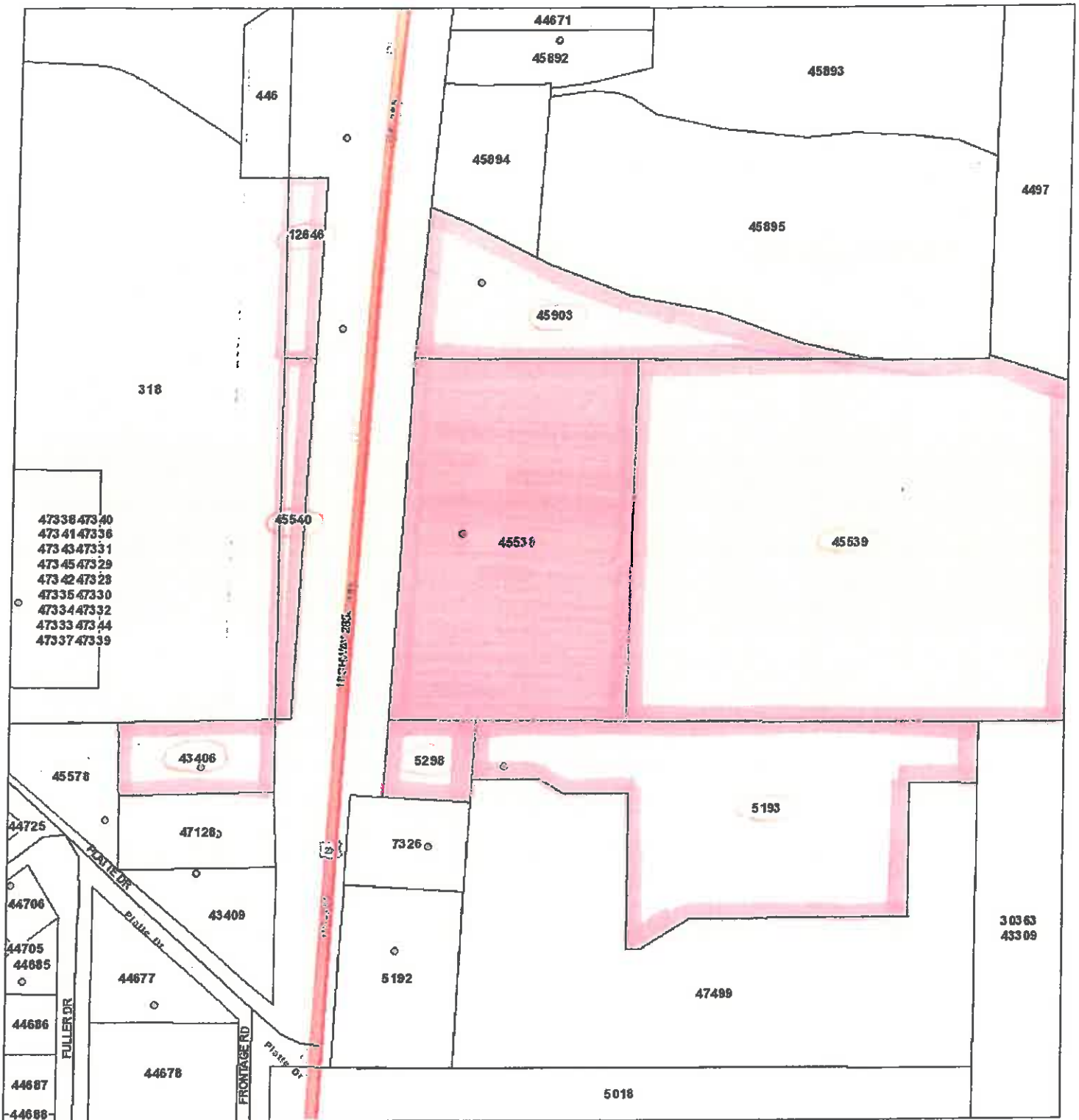
Sch#43406  
Edwin S Wittbrodt, Jr  
Kim Eileen Wittbrodt  
P O Box 1395  
Fairplay, CO 80440

Sch#45540  
Samuel L Mick  
P O Box 2049  
Buena Vista, CO 81211-2049

Sch#12646  
Town of Fairplay  
P O Box 267  
Fairplay, CO 80440

  
\_\_\_\_\_  
Claudia Werner – Deputy Town Clerk

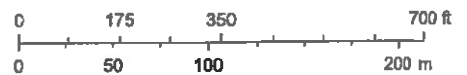
# 249 U S HWY 285



May 10, 2017

1:2,762

- Primary\_Address
- ... TaxParcel
- COUNTIES
- ... PARK
- ParkCounty.DBO.Roads\_Update\_02072016
- ALLEY
- COUNTY RD
- DRIVEWAY
- FOREST SERVICE RD
- LOCAL
- TRAIL
- UNNAMED STREET
- US HWY
- USFS Park County Roads
- World Street Map



**NOTICE OF PUBLIC HEARING  
BEFORE THE FAIRPLAY BOARD OF  
TRUSTEES CONCERNING A SPECIAL USE  
PERMIT APPLICATION**

A Public Hearing will be held before the Fairplay Board of Trustees at Fairplay Town Hall, 901 Main Street, Fairplay, Colorado, on June 5, 2017 at 7:00 p.m. concerning an application for a Special Use Permit (SUP) on the property located at 249 U S Hwy 285 in the Town of Fairplay. Applicant seeks to obtain a SUP for the Commercial (C) zoned property to allow temporary shipping containers for a development project. The applicant for the SUP is Stan Kopunec. For further information contact the Fairplay Town Hall at 719-836-2622.

As published in the Park County Republican and Fairplay Fume on May 19, 2017.  
**(NOTICE OF PUBLIC HEARING)**



**AFFIDAVIT**

Regarding the Required Posting of Property:  
249 U S Hwy 285  
Fairplay, CO 80440

I, R. Bramlett, hereby certify that I have posted the  
property: 249 U S Hwy 285, with the proper notice for:

**Public Hearing before the Town of Fairplay on a Special Use Permit Request.**

Date of Posting: 5.19.17

Date of Affidavit: 5.19.17

R. Bramlett  
Town of Fairplay Staff

**Tina Darrah**

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**From:** rcbrands@gmail.com  
**Sent:** Wednesday, May 24, 2017 6:05 AM  
**To:** tdarrah@fairplayco.us  
**Subject:** Public hearing June 5

Tina,

I received the Town's letter concerning the public hearing that will permit the use of storage containers on Stan Kopunec's property. I have spoken to the Kopunecs and am comfortable with their operating plan and believe it will not have an adverse impact on the living standard at the mobile home parks. Our primary concern is for the health and safety of the people living in the parks and the plan for the containers that was presented to me appears to meet that need. We appreciate being involved in the development of the community.

Thanks,

Bob Brands  
Fairplay Mobile Home Parks  
Check out:  
<http://summitpeakslodge.com>

**MAYOR'S OPENING STATEMENT  
SPECIAL USE PERMIT HEARING FOR 1101 MEADOW DRIVE**

MAYOR LANE:

I WILL NOW OPEN THE PUBLIC HEARING ON THE APPLICATION OF COLORADO NATURAL GAS FOR A SPECIAL USE PERMIT ON THE PROPERTY LOCATED AT 1101 MEADOW DRIVE.

THE FAIRPLAY BOARD OF TRUSTEES, ACTING AS THE LOCAL ZONING AUTHORITY, HAS JURISDICTION TO CONDUCT THIS PUBLIC HEARING UNDER SECTION 31-23-301 OF THE COLORADO REVISED STATUTES AND UDC ARTICLE VI OF THE FAIRPLAY MUNICIPAL CODE. NOTICE OF THIS HEARING HAS BEEN GIVEN BY POSTING, MAILING AND PUBLICATION IN THE MANNER REQUIRED BY SECTION 16-4-10 OF THE FAIRPLAY MUNICIPAL CODE, UDC ARTICLE IV, AND EVIDENCE OF SUCH NOTICE IS HEREBY MADE A PART OF THE RECORD OF THIS PROCEEDING.

THE PURPOSE OF THIS HEARING IS TO CONSIDER THE APPLICATION OF COLORADO NATURAL GAS FOR A SPECIAL USE PERMIT ON THE SUBJECT PROPERTY. THE APPLICANT SEEKS APPROVAL OF THE SUP TO ALLOW FOR THE EXISTING STORAGE CONTAINERS "CONEX" TO REMAIN ON THE COMMERCIAL ZONED PROPERTY.

THE PROCEDURE TO BE FOLLOWED IN THIS CASE WILL BE AS FOLLOWS:

1. STAFF COMMENT WILL BE PRESENTED.
2. THE APPLICANT, OR THE APPLICANT'S LEGAL COUNSEL, MAY GIVE AN OPENING STATEMENT.
3. FOLLOWING THE OPENING STATEMENT, IF ANY, THE APPLICANT AND ANY OTHER PERSONS SUPPORTING THE APPLICATION MAY PRESENT ANY EVIDENCE SUPPORTING THE PROPOSED SPECIAL USE PERMIT ON THE SUBJECT PROPERTY.
4. AT THE CONCLUSION OF THE APPLICANT'S CASE, ANY PERSONS OPPOSING THE PROPOSED SPECIAL USE PERMIT ON THE SUBJECT PROPERTY MAY PRESENT EVIDENCE.
5. THE APPLICANT MAY THEN PRESENT ANY REBUTTAL EVIDENCE.

THIS HEARING IS BEING RECORDED AND I WILL CAUTION ALL WITNESSES AND ATTENDEES THAT THEY MUST IDENTIFY THEMSELVES BEFORE SPEAKING AND THAT THEY MUST SPEAK CLEARLY SO THE RECORDING DEVICE CAN RECORD THEIR COMMENTS. COMMENTS OR INTERRUPTIONS FROM MEMBERS OF THE AUDIENCE DURING TESTIMONY WILL INTERFERE WITH THE PROCEEDING AND WILL NOT BE ALLOWED.

ARE THERE ANY OBJECTIONS TO THE JURISDICTION OF THE BOARD OF TRUSTEES OR TO THE PROCEDURE WHICH I HAVE JUST DESCRIBED?

HEARING NONE, STAFF WILL NOW PRESENT THE CASE.

**TOWN OF FAIRPLAY, COLORADO  
RESOLUTION #11  
(Series 2017)**

**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF  
FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION  
FOR A SPECIAL USE PERMIT FOR COLORADO NATURAL GAS**

**WHEREAS**, on April 27, 2017, Bill Shaw for Colorado Natural Gas (hereinafter referred to as Applicant) submitted an Application to the Town of Fairplay, Colorado, for a Special Use Permit to allow the existing storage containers “conex” to remain on Fairplay Beaver Meadows Amended, Lot C-3, located at 1101 Meadow Drive, Fairplay, Colorado, and

**WHEREAS**, the Board of Trustees at its June 5, 2017, regularly scheduled meeting did review said application and did discuss and approve of the granting of a Special Use Permit to allow the existing storage containers “conex” to remain at 1101 Meadow Drive, and

**WHEREAS**, the Board of Trustees for the Town of Fairplay, Colorado, finds that notice of the public hearing on Applicant’s application was properly and timely published and mailed as per Fairplay Municipal Code UDC Article IV, Section 16-4-10, and

**WHEREAS**, The Board of Trustees has evaluated the application in accordance with the standards set forth in the Fairplay Municipal Code UDC Article VI and reviewed, and considered recommendations, comments, and arguments of Town staff and the public, and

**WHEREAS**, the Board of Trustees finds and determines that the proposed special use will not adversely impact the neighborhood or the public safety and welfare.

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

1. The applicant’s request for a Special Use Permit is hereby granted for the continued use of two shipping containers on Fairplay Beaver Meadows Amended, Lot C-3, located at 1101 Meadow Drive, Fairplay, Colorado.
2. The Board hereby determines that this Special Use Permit SHALL NOT run with the land, but rather be personal to the applicant and terminate upon sale of the property.
3. This approval is for the existing units only, no stacking, increase in height, addition to or replacement of units.

4. No signage on unit, the units SHALL be painted a uniform color compatible with the existing structure on this property.
5. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this Resolution 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 Resolution is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Board of Trustees further determines that the Resolution bears a rational relation to the proper legislative object sought to be attained.
6. Severability. If any clause, sentence, paragraph or part of this Resolution or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.
7. Effective Date. This Resolution shall become effective immediately.

**RESOLVED, APPROVED AND ADOPTED this 5<sup>th</sup> day of June, 2017.**

\_\_\_\_\_  
Gabby Lane, Mayor

(SEAL)

**ATTEST:**

\_\_\_\_\_  
Tina Darrah, Town Clerk

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**TOWN OF FAIRPLAY  
TOWN PLANNER REPORT**

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2017-010

**COLORADO NATURAL GAS  
SPECIAL USE PERMIT**

- **APPLICANT:** Bill Shaw representing Colorado Natural Gas
- **OWNER:** Fairplay Meadow Drive LLC, Littleton, CO
- **PROPERTY LOCATION:** 1101 Meadow Drive
- **FUTURE LAND USE DESIGNATION:** Commercial
- **CURRENT ZONING:** Commercial (C)
- **REQUEST:** Special Use Permit to allow continued use of 1 Shipping Container

**SUMMARY OF APPLICATION**

The property at 1101 Meadow Drive consists of a 1.46-acre parcel containing the offices of Colorado Natural Gas and a fenced equipment/material yard. The property is zoned Commercial (C) and is designated on the Comprehensive Plan as Commercial.

The applicant is requesting a Special Use Permit to allow two (2) metal shipping containers to remain in use on the property. The containers are located in the equipment/material yard.

Fairplay Ordinance 2016-4 specifies that "Metal shipping or storage containers, trailers, recreational vehicles and similar devices or facilities are prohibited for use as storage sheds except in the Light Industrial Zone District." The ordinance further stipulates that these devices may be used as temporary construction storage in any zone district and may be used in portions of the Commercial zone district outside of the Town Center upon issuance of a Special Use Permit by the Board of Trustees

**COMPLIANCE WITH FAIRPLAY COMPREHENSIVE PLAN**

- The Commercial land use designation is situated on either side of Highway 285, supporting larger, more intensive commercial uses.
- This area emphasizes automobile circulation but still provides excellent accessibility for pedestrians and bicycles.
- Architectural character is more contemporary, but still emphasizes good design, landscaped parking, attractive signage and screened storage.
- Some residential uses are accessory to the business functions and are located on the second story or in the rear of structures.
- Residential uses primarily serve employees of the business.
- Buildings are set back from Highway 285 to buffer the uses and permits highway side parking.

- Large parking areas incorporate landscaped islands and where possible, parking is located on the side or rear of businesses.
- Exterior lighting and street lighting utilizes downcast shielded fixtures that minimize lighting trespass, glare and is aimed to a target and is only used where necessary to protect the views of Fairplay's night skies.
- Consistent thematic signage invites the traveling public to Fairplay and provides clear information about businesses, services and community landmarks

### **COMPLIANCE WITH FAIRPLAY UNIFIED DEVELOPMENT CODE**

Fairplay Ordinance 2016-4 specifies that a **Metal Shipping or Storage Container** is a **Special Use** in Commercial (C) zoning.

A special use is a use that is not allowed as a matter of right or without restriction in a zone district but may be permitted subject to terms and conditions specified by the Board of Trustees.

A Special Use Permit may be granted by the Board of Trustees only after finding that the proposed special use will not adversely affect the neighborhood or the public safety and welfare. These findings should consider the following factors:

- Ingress and egress to the property for vehicles, pedestrians and emergency vehicles
- The need for and adequacy of off street parking
- Noise, glare and odor of the special use on surrounding properties
- Refuse and service areas
- Utilities, regarding location, availability and compatibility
- Screening and buffering, regarding type, dimensions and character
- Signs
- Proposed exterior lighting
- Required yards and other open spaces
- General compatibility with adjacent property and other property in the neighborhood

### **PROJECT ANALYSIS**

The Special Use Permit application is complete and the public has been notified.

The proposed Special Use Permit for two (2) Metal Shipping Containers would allow the applicant, Colorado Natural Gas, to continue the use of the containers on the commercial property.

The subject metal shipping containers are known in the industry as intermodal containers. They are standardized shipping containers, designed and built for intermodal freight transport, meaning these containers can be used across different modes of transport – from ship to rail to truck – without unloading and reloading their cargo. These containers are a means to bundle cargo and goods into

larger loads that can be easily handled, moved, and stacked, and that will pack tightly in a ship or yard.

Intermodal containers have, in recent years, been repurposed and marketed as on-site storage buildings, such as the two on-site at Colorado Natural Gas.

In reviewing the application, the Town Planner finds that:

1. Ingress and egress to the property would not be impeded by the continued use of the containers.
2. Parking is not affected by the existence of the shipping containers.
3. The shipping containers produce no noise, glare or odor associated with the use.
4. Refuse and service areas are not affected by the continued use of the containers.
5. The existing containers have no painted signage.
6. There is no exterior lighting associated with the containers.
7. The containers do not encroach on any required setbacks.
8. The general compatibility with adjacent property and other property in the neighborhood does not appear to be affected.

The proposal appears to be in substantial compliance with the Fairplay Comprehensive Plan. The UDC states that signage should be taken under consideration as criteria for approval or denial.

The Board of Trustees has determined that there are several conditions that will be attached to all Special Use Permits associated with metal shipping containers. These conditions are as follows:

1. The Special Use Permit SHALL NOT run with the land, but rather be personal to the applicant and terminate upon sale of the property.
2. The approval is for the existing unit(s) only, no stacking, increase in height, addition to or replacement of unit.
3. No signage on unit. If signage exists on the unit, it SHALL be painted a uniform color compatible with the existing structure(s) on the property. This painting SHALL be completed at a date determined by the Board of Trustees.

*Prepared by:*  
Ron Newman  
Fairplay Town Planner

*copy:* Bill Shaw, Colorado Natural Gas, Applicant  
Tina Darrah, Town Manager  
Lee Phillips, Town Attorney





# DEVELOPMENT APPLICATION

**TOWN OF FAIRPLAY**  
PO Box 267  
FAIRPLAY, CO 80440  
719-836-2622

## APPLICATION TYPE

- |                                                          |                                                        |
|----------------------------------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> Planned Unit Development        | <input type="checkbox"/> Variance                      |
| <input type="checkbox"/> Subdivision                     | <input checked="" type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Zoning Map Amendment (Rezoning) | <input type="checkbox"/> Architectural Review          |

APPLICANT INFORMATION (Bill Shaw)

Applicant: Colorado Natural Gas → Date: 04.27.2017

Applicant's Address: 7810 Shuter Parkway, Ste. 120  
Littleton, CO 80127

Applicant's Phone: 303.505.2403 Fax: 720.222.5184

Email Address: bshaw@coloradonaturalgas.com

OWNER INFORMATION

Applicant's Relationship to Owner: Tenant (Business)

Owner: Fairplay Meadow Drive, LLC (a Colorado limited liability company)

Owner's Address: 1008 Centre Ave,  
F. Collins, CO 80526

Owner's Phone: 970.396.1031 Fax: \_\_\_\_\_

Email Address: ginnymcall@gmail.com

PROPERTY INFORMATION

Address: 1101 Meadow Drive, Fairplay CO 80440

Parcel #: T09, R77, S.34 NW14 45107

Subdivision: Fairplay Beaver Meadows

Lot: C-3 Block \_\_\_\_\_

Existing Zoning: \_\_\_\_\_

Number of Acres: 1.46 Acres

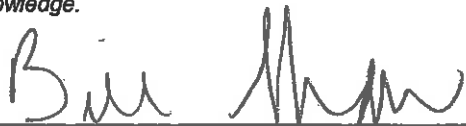
PROJECT PROPOSAL

General Description of Project:

Requesting a Special Use Permit for  
an existing storage container(s) "ConEx"  
to remain on the property

SIGNATURES

*I declare under the penalty of perjury that the above information is true and correct to the best of my knowledge.*



Owner

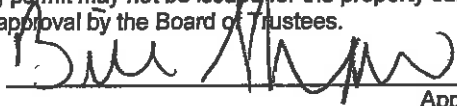
4.27.17

Date

*The owner and/or applicant must be present at all meetings and hearings. All public hearings must be properly noticed according to the Fairplay Municipal Code. All submittal requirements must be met and signatures of all owners of the property must appear before the application will be accepted by the Town of Fairplay. Partnerships or corporations may have the authorized general partner or corporate officer sign the application. (Attach additional pages if necessary.)*



NOTE: No application will be accepted or processed unless it is complete and all fees are paid. In the event the town must retain outside professional services to process or evaluate an application, the applicant shall bear the cost of same, inclusive of engineering and legal fees, in addition to the base application fee. A deposit to cover the reasonable anticipated costs for outside professional services may be required at the time of application. All applications shall be evaluated under the standards and requirements set forth in Section 15 of the Zoning Code and must be accompanied by seven (7) copies of a proposed site plan/plat prepared by a professional engineer or surveyor.

I hereby certify that I am the applicant named above and that the information contained herein and on any attachments hereto is in all respects true and accurate to the best of my knowledge and belief. I also understand that a building permit may not be issued for the property subject to this application until the application receives final approval by the Board of Trustees.

  
Applicant

FOR TOWN USE ONLY

Application Checklists

- Complete Application.
- Proof of Ownership (deed) for project property
- Written authorization from property owner(s) for agent (if applicable) 
- Existing PUD plat/recording information 
- Proposed site development plan/plat (7 copies). If there are structures on property, they must be on plat with all dimensions
- List of persons entitled to notice (by name and mailing address)
- Mailing envelopes (stamped and addressed) for persons entitled to notice
- Proposed development improvements agreement (if applicable). (3 copies) N/A
- Fees and/or deposit Check #28662
- Other PICTURES OF CONEX BOX



**SPECIAL WARRANTY DEED**

STATE DOCUMENTARY FEE

DATE 5-23-08

\$ 17.50

THIS DEED, Made this 22nd day of May, 2008 between

ENXX Corporation, a Colorado Corporation

a corporation duly organized and existing under and by virtue of the laws of the State of COLORADO, grantor(s), and

Fairplay Meadow Drive, LLC, a Colorado Limited Liability Company

whose legal address is 1008 Centre Ave, Ft. Collins, CO 80526

of the County of \_\_\_\_\_, State of Colorado, grantee(s)

WITNESSETH, That the grantor(s), for and in consideration of the sum of One Hundred Seventy-Five Thousand Dollars and NO/100's (\$175,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee(s), its heirs, successors and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Park, State of COLORADO, described as follows:

Lot C-3,  
BEAVER MEADOWS, AMENDED,

County of Park,  
State of Colorado

also known by street and number as Meadow Drive, Fairplay, CO 80440

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), it's heirs, successors and assigns forever. The grantor(s), for itself, it's successors and assigns, does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), its heirs, successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor(s) has caused its corporate name to be hereunto subscribed by its President, and its corporate seal to be hereunto affixed, attested by its \_\_\_\_\_ the day and year first above written.

SELLER:

ENXX Corporation, a Colorado Corporation

  
by Vernon Thompson, as President

STATE OF  
COUNTY OF

Colorado  
Freemont

}ss:

20th

\_\_\_\_\_ day of May, 2008 by by Vernon Thompson,  
President of ENXX Corporation, a Colorado Corporation

  
Notary Public

My hand and official seal.  
My commission expires: 08/12/2009

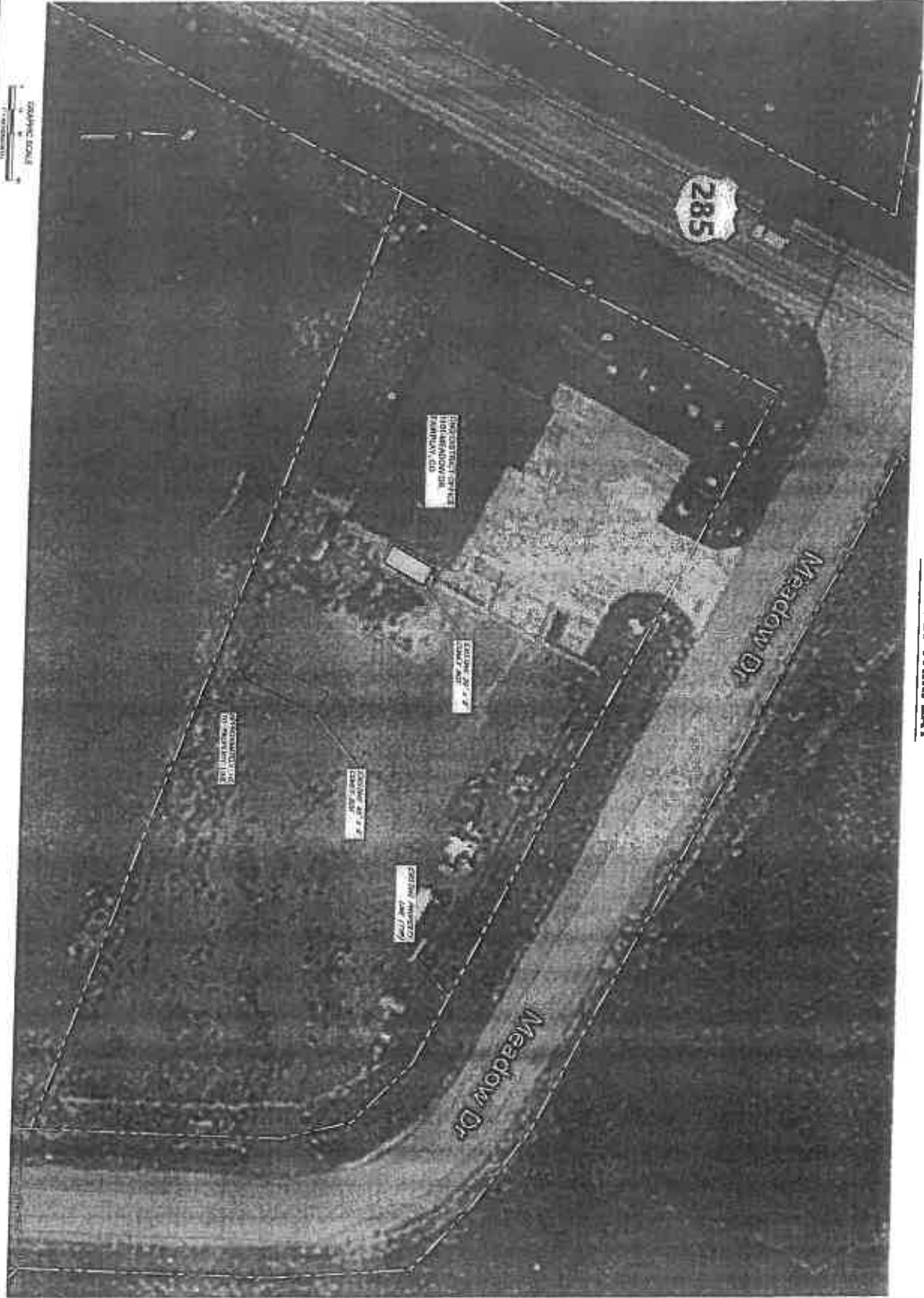


I, Fairplay Meadow Drive, LLC (OWNER) authorize Bill Shaw of Colorado Natural Gas (AGENT), Inc. to conduct any business and attend all hearings related to the storage boxes on the following property:

1101 Meadow Drive  
Fairplay, CO 80440

Signature Dale Boehmer  
Date: 4/27/2017

**TOWN OF FAIRPLAY**



**TOWN OF FAIRPLAY**

801 MAIN STREET, FAIRPLAY, CO 80440

**COLORADO NATURAL GAS**

7810 Boulder Parkway | Suite 120  
Littleton, CO 80127 | Phone (720) 881-8122

1101 MEADOW DRIVE  
FAIRPLAY, CO

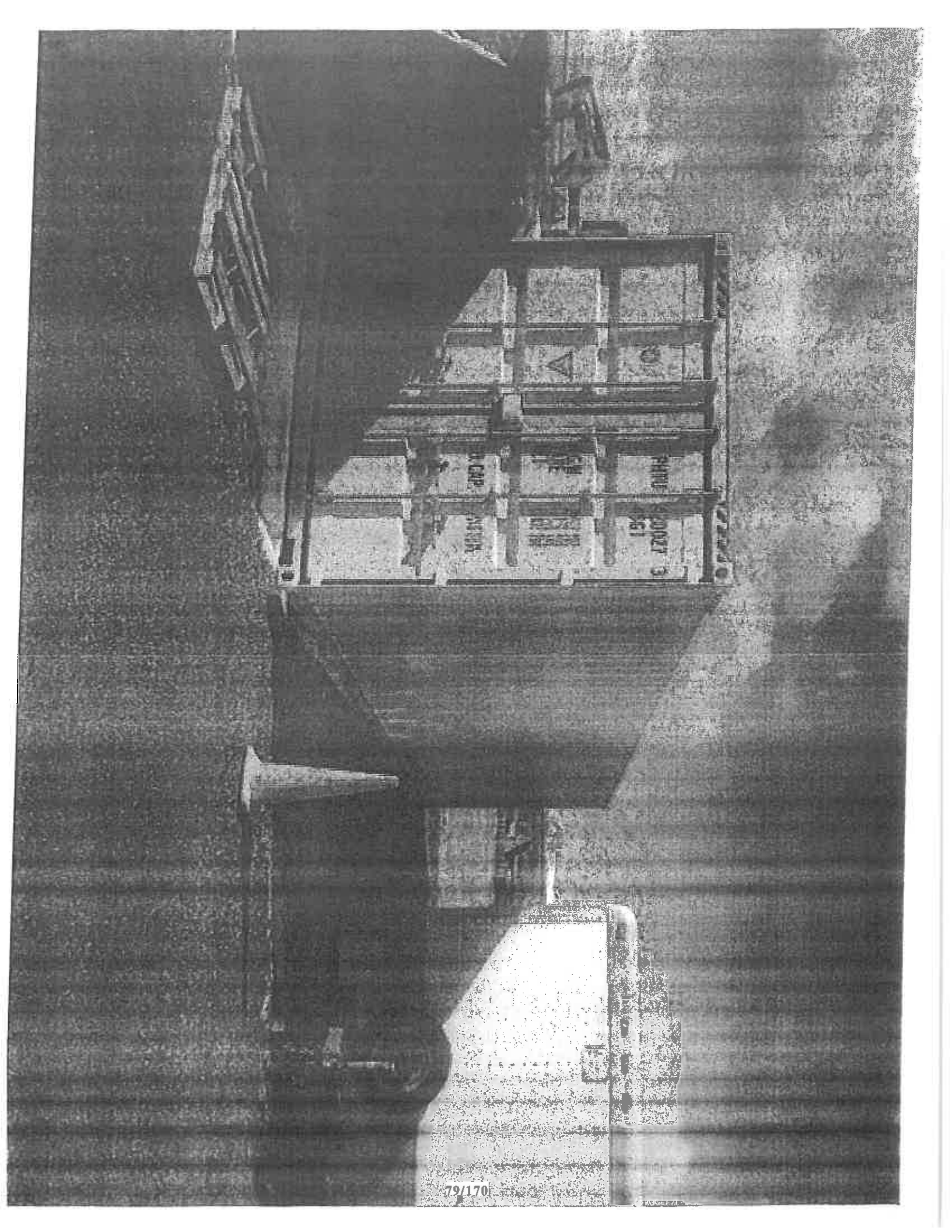
COLORADO NATURAL GAS  
EXHIBIT SHEET  
CONEX BOX LOT PLACEMENT

78/170

NO.	REVISION	DATE

SHEET  
EX-01

1 OF 1



COLORADO NATURAL GAS, INC.

REFERENCE NO	DESCRIPTION	INVOICE DATE	INVOICE AMOUNT	DISCOUNT TAKEN	AMOUNT PAID
TF042717-4	APP FEE SPECIAL USE PERMIT	04/27/2017	\$150.00	\$0.00	\$150.00

CHECK DATE	CHECK NO	PAYEE	DISCOUNTS TAKEN	CHECK AMOUNT
04/27/2017	28662		\$0.00	\$150.00

28662

**COLORADO NATURAL GAS, INC.**  
**OPERATING ACCOUNT**  
 7810 SHAFFER PKWY, STE. 120  
 P.O. BOX 270868  
 LITTLETON, CO 80127-0868  
 (720) 981-2123

**CHASE**  
 JPMorgan Chase Bank, N.A.  
 www.Chase.com  
 23-101/1020



CHECK NO.  
28662

DATE  
04/27/2017

AMOUNT  
\$150.00

One Hundred Fifty Dollars and 0 Cents

PAY TO THE ORDER OF  
 Town of Fairplay  
 PO Box 257  
 Fairplay CO 80440

*John E. Bachfeld*  
 AUTHORIZED SIGNATURE

Details on back

*Sup for 1101 Meadow Dr - Storage container*

⑈028662⑈ ⑆102001017⑆ 193489943⑈





**Town of Fairplay**  
901 Main Street • P.O. Box 267  
Fairplay, Colorado 80440  
(719) 836-2622 phone  
(719) 836-3279 fax  
[www.fairplayco.us](http://www.fairplayco.us)

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May 19, 2017

**Notice of Public Hearing**  
**Regarding the land use application for a Special Use Permit for the property**  
**located at 1101 Meadow Drive in the Town of Fairplay:**

This is to advise you that on Monday, June 5, 2017 at 7:00 p.m. the Board of Trustees for the Town of Fairplay will conduct a public hearing at the Fairplay Town Hall, 901 Main Street, Fairplay, Colorado, concerning:

A request to approve the proposed special use permit for the property located at 1101 Meadow Drive in the Town of Fairplay. Specifically, the applicant seeks to obtain a special use permit for the Commercial (C) zoned property to allow an existing storage container(s) "conex" to remain on the property.

The applicant is Bill Shaw for Colorado Natural Gas.

As an adjoining property owner, you may approve or object to the requested land use application. You may appear at the Fairplay Board of Trustees meeting as noted above, or you may address your concerns to the Town of Fairplay, PO Box 267, Fairplay, CO 80440. Please call (719) 836-2622 with any questions.

Certificate of Mailing Attached.

## CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing Notice of Public Hearing Regarding the land use application for a Special Use Permit, located at 1101 Meadow Drive in the Town of Fairplay was placed in the United States mail, postage prepaid, first class, this 19<sup>th</sup> day of May, 2017, addressed to:

Sch#45107  
Fairplay Meadow Drive LLC  
7810 Shaffer Pkwy, Ste 120  
Littleton, CO 80127

Sch#44940  
Fairplay Land Company  
9101 Harlan St., Ste 300  
Westminster, CO 80031


Sch#44663  
1<sup>st</sup> American Woodcrafters  
P O Box 1164  
Fairplay, CO 80440

Sch#44662  
Kenton D Christenson &  
Meri N Christenson  
2854 S Fig St  
Lakewood, CO 80228

Sch# not assigned  
Park County Government  
P O Box 1373  
Fairplay, CO 80440

Sch#45285  
Town of Fairplay  
P O Box 267  
Fairplay, CO 80440

Sch#44961  
James A & Denise Dexter  
P O Box 2439  
Silverthorne, CO 80498

  
\_\_\_\_\_  
Claudia Werner – Deputy Town Clerk

# 1101 MEADOW DRIVE



May 11, 2017

1:2,762

- Primary Address
- Tax Parcel

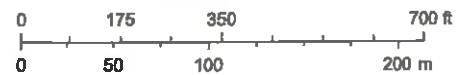
**COUNTIES**

- PARK

ParkCounty.DBC.Roads\_Update\_02072016

- ALLEY
- COUNTY RD
- DRIVEWAY
- FOREST SERVICE RD
- LOCAL

- TRAIL
- UNNAMED STREET
- US HWY
- USFS Park County Roads
- World Street Map



Drawn by: [Signature] 4/28/74  
 Original Contract No.: 487-201

Buttermilk  
 Park  
 FAIRPLAY 2 of 2

LEGEND

- PROPOSED TRACT NO. 3 (COMMUNITY CENTER OR FAIR BOARD)
- PROPOSED TRACT NO. 2 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 1 (FAIR BOARD HORSE FACILITY)
- PROPOSED TRACT NO. 0 (BUSINESS PARK)
- PROPOSED TRACT NO. 24 (COMMUNITY CENTER OR FAIR BOARD)
- PROPOSED TRACT NO. 23 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 22 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 21 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 20 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 19 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 18 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 17 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 16 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 15 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 14 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 13 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 12 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 11 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 10 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 9 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 8 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 7 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 6 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 5 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 4 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 3 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 2 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 1 (RESIDENTIAL BUILDING SITES)
- PROPOSED TRACT NO. 0 (RESIDENTIAL BUILDING SITES)



- NOTES:**
1. The title of this project is the actual location of the tract.
  2. The total area of the tract is 1.77 acres, less the area reserved for the proposed roads and utility easements.
  3. All proposed lots are shown with their respective acreages.
  4. The proposed lots are shown with their respective acreages.
  5. The proposed lots are shown with their respective acreages.
  6. The proposed lots are shown with their respective acreages.
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  27. The proposed lots are shown with their respective acreages.
  28. The proposed lots are shown with their respective acreages.
  29. The proposed lots are shown with their respective acreages.
  30. The proposed lots are shown with their respective acreages.



**BUTTERMILK PARK - PHASE 1**  
 SECTION 34 T. 65N., R. 77W., 58N. P.M.  
 PARK COUNTY, COLORADO

DATE: DEC. 23, 1973	DRAWN BY: [Signature]
SCALE: 1" = 100'	CHECKED BY: [Signature]
PROJECT NO. 487-201	SHEET 2 OF 2

**NOTICE OF PUBLIC HEARING  
BEFORE THE FAIRPLAY BOARD OF  
TRUSTEES CONCERNING A SPECIAL USE  
PERMIT APPLICATION**

A Public Hearing will be held before the Fairplay Board of Trustees at Fairplay Town Hall, 901 Main Street, Fairplay, Colorado, on June 5, 2017 at 7:00 p.m. concerning an application for a Special Use Permit (SUP) on the property located at 1101 Meadow Drive in the Town of Fairplay. Applicant seeks to obtain a SUP for the Commercial (C) zoned property to allow for the existing storage container(s), "Conex", to remain on the property. The applicant for the SUP is Bill Shaw for Colorado Natural Gas. For further information contact the Fairplay Town Hall at 719-836-2622.

As published in the Park County Republican and Fairplay Flume on May 19, 2017.  
(NOTICE OF PUBLIC HEARING)

**AFFIDAVIT**

Regarding the Required Posting of Property:  
1101 Meadow Drive  
Fairplay, CO 80440

I, R. Bramlett, hereby certify that I have posted the  
property: 1101 Meadow Drive, with the proper notice for:

**Public Hearing before the Town of Fairplay on a Special Use Permit Request.**

Date of Posting: 5.17.17

Date of Affidavit: 5.19.17

D. J. B. O. S.  
Town of Fairplay Staff

**MAYOR'S OPENING STATEMENT  
SPECIAL USE PERMIT HEARING FOR 1151 BULLET ROAD**

MAYOR LANE:

I WILL NOW OPEN THE PUBLIC HEARING ON THE APPLICATION OF PETE WERNER FOR A SPECIAL USE PERMIT ON THE PROPERTY LOCATED AT 1151 BULLET ROAD.

THE FAIRPLAY BOARD OF TRUSTEES, ACTING AS THE LOCAL ZONING AUTHORITY, HAS JURISDICTION TO CONDUCT THIS PUBLIC HEARING UNDER SECTION 31-23-301 OF THE COLORADO REVISED STATUTES AND UDC ARTICLE VI OF THE FAIRPLAY MUNICIPAL CODE. NOTICE OF THIS HEARING HAS BEEN GIVEN BY POSTING, MAILING AND PUBLICATION IN THE MANNER REQUIRED BY SECTION 16-4-10 OF THE FAIRPLAY MUNICIPAL CODE, UDC ARTICLE IV, AND EVIDENCE OF SUCH NOTICE IS HEREBY MADE A PART OF THE RECORD OF THIS PROCEEDING.

THE PURPOSE OF THIS HEARING IS TO CONSIDER THE APPLICATION OF PETE WERNER FOR A SPECIAL USE PERMIT ON THE SUBJECT PROPERTY. THE APPLICANT SEEKS APPROVAL OF THE SUP TO ALLOW FOR CONSTRUCTION OF THREE NEW MINI STORAGE BUILDINGS ON THE COMMERCIAL ZONED PROPERTY.

THE PROCEDURE TO BE FOLLOWED IN THIS CASE WILL BE AS FOLLOWS:

1. STAFF COMMENT WILL BE PRESENTED.
2. THE APPLICANT, OR THE APPLICANT'S LEGAL COUNSEL, MAY GIVE AN OPENING STATEMENT.
3. FOLLOWING THE OPENING STATEMENT, IF ANY, THE APPLICANT AND ANY OTHER PERSONS SUPPORTING THE APPLICATION MAY PRESENT ANY EVIDENCE SUPPORTING THE PROPOSED SPECIAL USE PERMIT ON THE SUBJECT PROPERTY.
4. AT THE CONCLUSION OF THE APPLICANT'S CASE, ANY PERSONS OPPOSING THE PROPOSED SPECIAL USE PERMIT ON THE SUBJECT PROPERTY MAY PRESENT EVIDENCE.
5. THE APPLICANT MAY THEN PRESENT ANY REBUTTAL EVIDENCE.

THIS HEARING IS BEING RECORDED AND I WILL CAUTION ALL WITNESSES AND ATTENDEES THAT THEY MUST IDENTIFY THEMSELVES BEFORE SPEAKING AND THAT THEY MUST SPEAK CLEARLY SO THE RECORDING DEVICE CAN RECORD THEIR COMMENTS. COMMENTS OR INTERRUPTIONS FROM MEMBERS OF THE AUDIENCE DURING TESTIMONY WILL INTERFERE WITH THE PROCEEDING AND WILL NOT BE ALLOWED.

ARE THERE ANY OBJECTIONS TO THE JURISDICTION OF THE BOARD OF TRUSTEES OR TO THE PROCEDURE WHICH I HAVE JUST DESCRIBED?

HEARING NONE, STAFF WILL NOW PRESENT THE CASE.

**TOWN OF FAIRPLAY, COLORADO**  
**RESOLUTION # 12**  
**(Series 2017)**

**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR 1151 BULLET ROAD**

**WHEREAS**, on April 25, 2017, Pete Werner (hereinafter referred to as Applicant) submitted an Application to the Town of Fairplay, Colorado, for a Special Use Permit to allow the construction of three (3) additional 40' X 120' mini storage buildings to be constructed on his commercial zoned property located at 1151 Bullet Road, Fairplay, Colorado, and

**WHEREAS**, the Board of Trustees at its June 5, 2017, regularly scheduled meeting did review said application and did discuss and approve of the granting of a Special Use Permit, and

**WHEREAS**, the Board of Trustees for the Town of Fairplay, Colorado, finds that notice of the public hearing on Applicant's application was properly and timely published and mailed as per Fairplay Municipal Code UDC Article IV, Section 16-4-10, and

**WHEREAS**, The Board of Trustees has evaluated the application in accordance with the standards set forth in the Fairplay Municipal Code UDC Article VI and reviewed, and considered recommendations, comments, and arguments of Town staff and the public, and

**WHEREAS**, the Board of Trustees finds and determines that the proposed special use will not adversely impact the neighborhood or the public safety and welfare.

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

1. The applicant's request for a Special Use Permit is hereby granted for the construction of three (3) additional 40' x 120' mini storage facilities on the property located at 1151 Bullet Road, Fairplay, Colorado.
2. The Board hereby determines that this Special Use Permit SHALL run with the land.
3. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this Resolution 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 Resolution is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Board



of Trustees further determines that the Resolution bears a rational relation to the proper legislative object sought to be attained.

4. Severability. If any clause, sentence, paragraph or part of this Resolution or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.
5. Effective Date. This Resolution shall become effective immediately.

**RESOLVED, APPROVED AND ADOPTED this 5<sup>th</sup> day of June, 2017.**

\_\_\_\_\_  
Gabby Lane, Mayor

(SEAL)

**ATTEST:**

\_\_\_\_\_  
Tina Darrah, Town Clerk

---

TOWN OF FAIRPLAY  
TOWN PLANNER REPORT

---

2017-09

**FAIRPLAY STORAGE  
SPECIAL USE PERMIT**

- **APPLICANT:** Pete Werner
- **PROPERTY LOCATION:** 1151 Bullet Road
- **FUTURE LAND USE DESIGNATION:** Commercial
- **CURRENT ZONING:** Commercial (C)
- **REQUEST:** Special Use Permit to allow the expansion of the existing Storage Facility

**SUMMARY OF APPLICATION**

The property at 1151 Bullet Road consists of a 1.36-acre parcel containing Fairplay Storage. The property is zoned Commercial (C) and is designated on the Comprehensive Plan as Commercial.

Personal Storage Units (mini storage) is a Special Use in Commercial zoning. The applicant/owner is requesting a Special Use Permit to allow the construction of three additional 40' x 120" mini storage buildings on site. The property currently has two (2) storage buildings of the same size.

**COMPLIANCE WITH FAIRPLAY COMPREHENSIVE PLAN**

- The Commercial land use designation is situated on either side of Highway 285, supporting larger, more intensive commercial uses.
- This area emphasizes automobile circulation but still provides excellent accessibility for pedestrians and bicycles.
- Architectural character is more contemporary, but still emphasizes good design, landscaped parking, attractive signage and screened storage.
- Some residential uses are accessory to the business functions and are located on the second story or in the rear of structures. Residential uses primarily serve employees of the business.
- Buildings are set back from Highway 285 to buffer the uses and permits highway side parking. Large parking areas incorporate landscaped islands and where possible, parking is located on the side or rear of businesses.
- Exterior lighting and street lighting utilizes downcast shielded fixtures that minimize lighting trespass, glare and is aimed to a target and is only used where necessary to protect the views of Fairplay's night skies.
- Consistent thematic signage invites the traveling public to Fairplay and provides clear information about businesses, services and community landmarks

## **COMPLIANCE WITH FAIRPLAY UNIFIED DEVELOPMENT CODE**

Article V of the Fairplay Unified Development Code specifies that **Storage-Personal Storage Units (mini storage)** is a **Special Use** in Commercial (C) zoning.

A special use is a use that is not allowed as a matter of right or without restriction in a zone district but may be permitted subject to terms and conditions specified by the Board of Trustees.

The proposed addition to Fairplay Storage meets the following dimensional standards:

1. Minimum lot size 5,000 sq ft – lot is 1.36 acres
2. Minimum lot width 50 ft – lot width is 165 ft
3. Maximum lot coverage 80% – lot coverage at buildout (5 buildings) is 40%
4. Minimum lot frontage 50 ft – lot is 165 ft wide
5. Front setback 25 ft – existing front setback is 25 ft
6. Rear setback 10 ft – rear setback at buildout is 35 ft
7. Side setback 5 ft – existing and proposed side setbacks are 22 feet
8. Parking – parking for Personal Storage Units is not addressed in the UDC.  
Section 16-10-60 states that the Board of Trustees shall determine the appropriate number of parking spaces required based upon the type of activity, intensity, number of employees and similarity to listed uses.

A special use permit may be granted by the Board of Trustees only after finding that the proposed special use will not adversely affect the neighborhood or the public safety and welfare. These findings should consider the following factors:

- Ingress and egress to the property for vehicles, pedestrians and emergency vehicles
- The need for and adequacy of off street parking
- Noise, glare and odor of the special use on surrounding properties
- Refuse and service areas
- Utilities, regarding location, availability and compatibility
- Screening and buffering, regarding type, dimensions and character
- Signs
- Proposed exterior lighting
- Required yards and other open spaces
- General compatibility with adjacent property and other property in the neighborhood

## **PROJECT ANALYSIS**

The special use permit application is complete and the public has been notified.

The proposed special use permit for three (3) additional 40 x 120 mini storage buildings would build out the Fairplay Storage property for that use.

In reviewing the application, the Town Planner finds that:

1. Ingress and egress to the property would not be impeded by the additional buildings.
9. Existing ingress, egress and spacing between units is acceptable for the proposed buildout of the property and additional parking is not necessary due to the varying time period of use.
2. No noise, glare or odor is associated with this use.
3. Refuse and service areas are not affected by the additional buildings.
4. The buildings have no painted signage or advertising.
5. There will be no additional exterior lighting associated with the additional buildings.
6. The buildings do not encroach on any required setbacks.
7. The general compatibility with adjacent property and other property in the neighborhood does not appear to be affected.

The proposal appears to be in substantial compliance with the Fairplay Comprehensive Plan.

*Prepared by:*  
Ron Newman  
Fairplay Town Planner

*copy:* Pete Werner, Applicant  
Tina Darrah, Town Manager  
Lee Phillips, Town Attorney



# DEVELOPMENT APPLICATION

TOWN OF FAIRPLAY  
PO Box 267  
FAIRPLAY, CO 80440  
719-836-2622

## APPLICATION TYPE

- |                                                          |                                                                 |
|----------------------------------------------------------|-----------------------------------------------------------------|
| <input type="checkbox"/> Planned Unit Development        | <input type="checkbox"/> Variance                               |
| <input type="checkbox"/> Subdivision                     | <input checked="" type="checkbox"/> Special Use Permit \$150.00 |
| <input type="checkbox"/> Zoning Map Amendment (Rezoning) | <input type="checkbox"/> Architectural Review                   |

RON NEWMAN  
(719) 395-5482

### APPLICANT INFORMATION

Applicant: PETE WERNER Date: 04-25-2017  
 Applicant's Address: PO Box 327  
FAIRPLAY, CO 80440  
 Applicant's Phone: (719) 836-3146 Fax: \_\_\_\_\_  
 Email Address: cwerner80440@gmail.com

### OWNER INFORMATION

Applicant's Relationship to Owner: Spouse  
 Owner: CLAUDIA R WERNER  
 Owner's Address: PO Box 327  
FAIRPLAY, CO 80440  
 Owner's Phone: (719) 836-3146 Fax: \_\_\_\_\_  
 Email Address: cwerner80440@gmail.com

### PROPERTY INFORMATION

Address: 1151 BULLET ROAD  
 Parcel #: 44666  
 Subdivision: BUTTERMILK PARK  
 Lot: C5 Block PHASE 1  
 Existing Zoning: COMMERCIAL  
 Number of Acres: 1.36

PROJECT PROPOSAL

General Description of Project:

CONSTRUCT THREE 40' x 120' MINI STORAGE  
BUILDINGS ON SITE THAT CURRENTLY HAS  
TWO 40' x 120' STORAGE BUILDINGS ON IT.

SIGNATURES

*I declare under the penalty of perjury that the above information is true and correct to the best of my knowledge.*

*Claudia R. Weener*

Owner

*04/25/2017*

Date

*The owner and/or applicant must be present at all meetings and hearings. All public hearings must be properly noticed according to the Fairplay Municipal Code. All submittal requirements must be met and signatures of all owners of the property must appear before the application will be accepted by the Town of Fairplay. Partnerships or corporations may have the authorized general partner or corporate officer sign the application. (Attach additional pages if necessary.)*

NOTE: No application will be accepted or processed unless it is complete and all fees are paid. In the event the town must retain outside professional services to process or evaluate an application, the applicant shall bear the costs of same, inclusive of engineering and legal fees, in addition to the base application fee. A deposit to cover the reasonable anticipated costs for outside professional services may be required at the time of application. All applications shall be evaluated under the standards and requirements set forth in Section 15 of the Zoning Code and must be accompanied by seven (7) copies of a proposed site plan/plat prepared by a professional engineer or surveyor.

I hereby certify that I am the applicant named above and that the information contained herein and on any attachments hereto is in all respects true and accurate to the best of my knowledge and belief. I also understand that a building permit may not be issued for the property subject to this application until the application receives final approval by the Board of Trustees.

Pete Werner

Applicant

FOR TOWN USE ONLY

Application Checklists

- Complete Application.
- Proof of Ownership (deed) for project property
- Written authorization from property owner(s) for agent (if applicable)
- Existing PUD plat/recording information
- Proposed site development plan/plat (7 copies). If there are structures on property, they must be on plat with all dimensions
- List of persons entitled to notice (by name and mailing address)
- Mailing envelopes (stamped and addressed) for persons entitled to notice
- Proposed development improvements agreement (if applicable). (3 copies)
- Fees and/or deposit *check # 4530*
- Other \_\_\_\_\_

**WARRANTY DEED**

**THIS DEED, Made this 13th day of September, 2005 between**

**Santos Goicoechea**

of the County of Park, State of Colorado, grantor and

**Claudia R. Werner**

whose legal address is: PO Box 327, Fairplay, CO 80440

of the County of Park, State of Colorado, grantee:

**WITNESSETH**, That the grantor for and in consideration of the sum of Three Hundred Ninety Thousand Dollars and NO/100's (\$390,000.00) the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Park, and State of COLORADO, described as follows:

Lot C5,  
BUTTERMILK PARK, PHASE 1,

County of Park,  
State of Colorado

also known by street and number as 1151 Bullet Road, Fairplay, CO 80440

**TOGETHER** with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except all taxes and assessments for the current year, a lien but not yet due or payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section 8a "Title Review", of the contract dated May 31, 20045, between the parties.

The grantor shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantee his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

**IN WITNESS WHEREOF**, the grantor has executed this deed on the date set forth above.

**SELLER:**



Santos Goicoechea

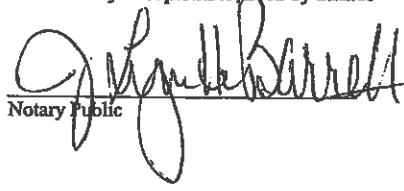


My Commission Expires 03-12-2006

STATE OF COLORADO  
COUNTY OF Park

} SS:

The foregoing instrument was acknowledged before me this 13th day of September, 2005 by Santos Goicoechea



Notary Public

Witness my hand and official seal.  
My Commission expires





# BULLET ROAD

N 27°33'57" E 164.56  
(N 27°32'9" E 164.45)

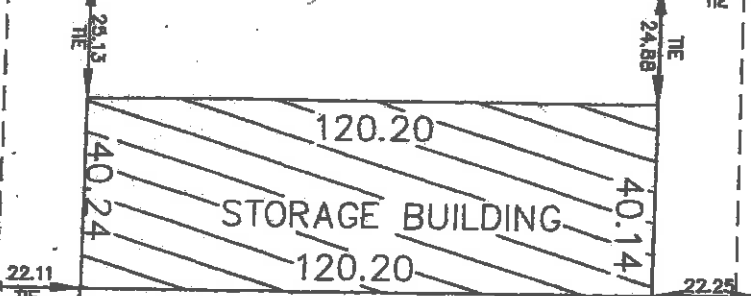
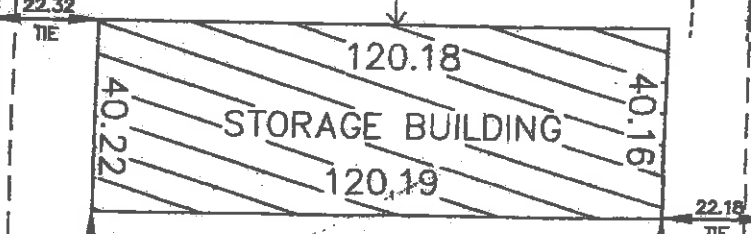
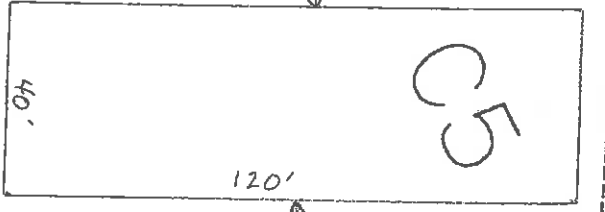
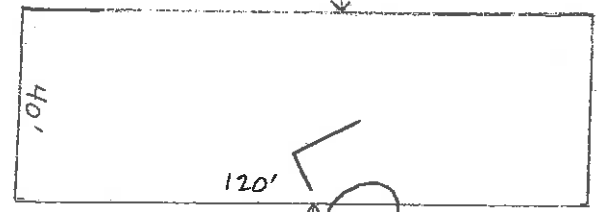
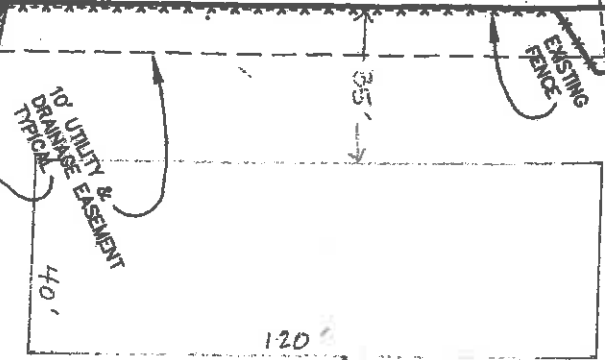
Town of Fairplay Ditch 16" CMF

DRIVEWAY

Town of Fairplay Ditch

Town of Fairplay Ditch

MANHOLE



20' UTILITY & DRAINAGE EASEMENT TYPICAL

LOT C6

N 62°26'3" W 360.00  
(N 62°25'46" W 360.06)

S 62°26'3" E 360.00  
(S 62°26'03" E 359.97)

BASIS OF BEARING

(97/170) S 27°30'15" W 164.53

S 27°33'17" W 164.56

Alma & Fairplay Storage

88-957/1119

4530

P O Box 327  
Fairplay, CO 80440  
(719) 836-3146

April 25 2017

FRAUDARMOR

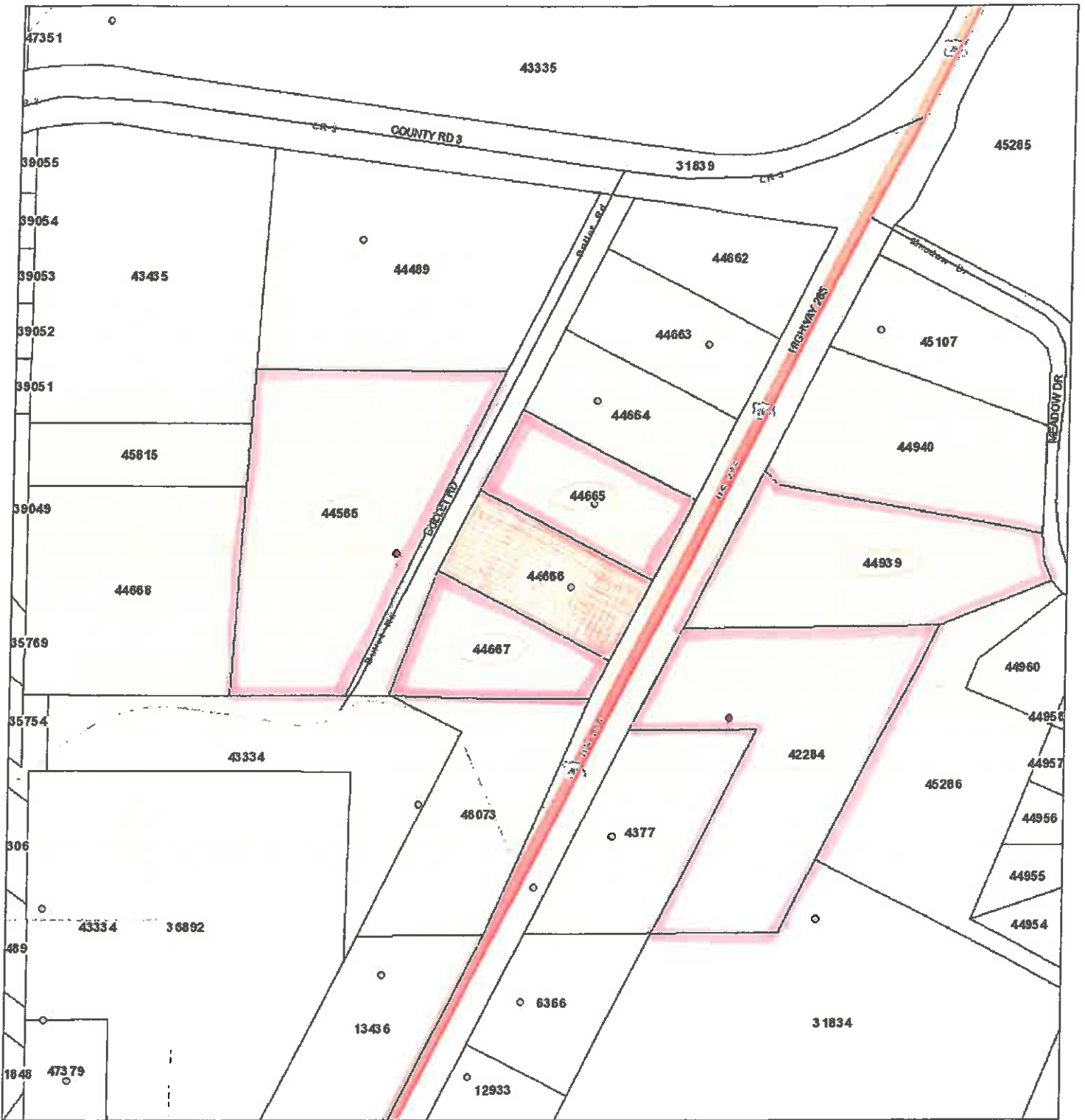
Pay to the Order of Down of Fairplay \$: 150.00  
One hundred, fifty and 10/100ths Dollars

TBK BANK  
Fairplay, CO 80440  
(719) 836-2797

For Sub App. 1151 Gullet Rd. Claudia R Warner

⑆111909579⑆1640267801⑆ 4530

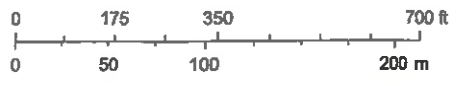
# 1151 BULLET ROAD



May 10, 2017

1:2,762

- Primary Address
- TaxParcel
- COUNTIES
- PARK
- ParkCounty.DBO.Roads\_Update\_02072016
- ALLEY
- COUNTY RD
- DRIVEWAY
- FOREST SERVICE RD
- LOCAL
- TRAIL
- UNNAMED STREET
- US HWY
- USFS Park County Roads
- World Street Map



99/170

Source: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P,



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

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May 19, 2017

**Notice of Public Hearing**  
**Regarding the land use application for a Special Use Permit for the property**  
**located at 1151 Bullet Road in the Town of Fairplay:**

This is to advise you that on Monday, June 5, 2017 at 7:00 p.m. the Board of Trustees for the Town of Fairplay will conduct a public hearing at the Fairplay Town Hall, 901 Main Street, Fairplay, Colorado, concerning:

A request for a special use permit to construct three (3) additional 40' by 120' mini storage buildings on site that currently has two 40' by 120' storage buildings on it. Storage units are allowed only by special use permit in the Commercial Zone District.

The applicant is Pete Werner, representing owner, Claudia Werner.

As an adjacent property owner, you may approve or object to the requested land use application. You may appear at the Fairplay Board of Trustees meeting as noted above, or you may address your concerns to the Town of Fairplay, PO Box 267, Fairplay, CO 80440. Please call (719) 836-2622 with any questions.

Certificate of Mailing Attached.

## CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing Notice of Public Hearing Regarding the land use application for a special use permit for the property located at 1151 Bullet Road in the Town of Fairplay was placed in the United States mail, postage prepaid, first class, this 19th day of May, 2017, addressed to:

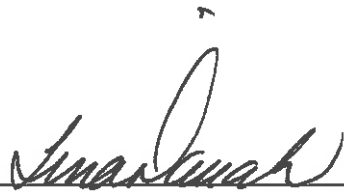
Sch #44565  
Park County Government  
PO Box 220  
Fairplay, CO 80440

Sch #44939  
Blue Sky Global LLC  
PO Box 7399  
Breckenridge, CO 80424

Sch#44665  
Brown Dog Mountain  
Property LLC  
P O Box 2169  
Fairplay, CO 80440

Sch# 44667  
Kenneth Brumm  
3642 Castle Peak Ave.  
Superior, CO 80027

Sch# 42284  
Jack Allen  
P O Box 398  
Fairplay, CO 80440

  
\_\_\_\_\_  
Tina Darrah - Town Clerk

**NOTICE OF PUBLIC HEARING  
BEFORE THE FAIRPLAY BOARD OF TRUSTEES  
CONCERNING A SPECIAL USE PERMIT APPLICATION**

A Public Hearing will be held before the Fairplay Board of Trustees at Fairplay Town Hall, 901 Main Street, Fairplay, Colorado, on June 5, 2017 at 7:00 p.m. concerning an application for a Special Use Permit (SUP) on the property located at 1151 Bullet Road in the Town of Fairplay. Applicant seeks to obtain a SUP for the Commercial (C) zoned property to allow for an additional three (3) mini storage buildings to be built. The applicant for the SUP is Pete Werner. For further information contact the Fairplay Town Hall at 719-836-2622.

As published in the Park County Republican and Fairplay Flume on May 19, 2017.

**AFFIDAVIT**

Regarding the Required Posting of Property:

**HEARING ON: SPECIAL USE PERMIT**

Property Address: 1151 BULLET ROAD, Fairplay, CO 80440

I, R. Bramlett, hereby certify that I have posted the property located as stated above, with the proper notice for:

**Public Hearing before the Board of Trustees on June 5, 2017 for a Special Use Permit**

Date of Posting: 5.19.17

Date of Affidavit: 5.19.17

R. Bramlett

Town of Fairplay Staff







## MEMORANDUM

**TO:** Mayor and Board of Trustees  
**FROM:** Tina Darrah, Town Administrator/Clerk  
**RE:** Resolution Approving PIIP Agreement with Dale Fitting  
**DATE:** May 31, 2017

---

This resolution approves an agreement with Dale Fitting for the Hand Hotel Siding Replacement Project. Staff has reviewed the application and found it in compliance with the PIIP rules and regulations.

This application is for \$5,708 towards exterior improvements, namely the replacement of the siding, at the property located at 531 Front Street. The property has paid in \$5,708 in property taxes to the Town of Fairplay over the last five years. The application shows the project materials and labor estimated at \$40,953.

You have \$11,786 remaining in your 2017 PIIP line item and this is the second PIIP application we have received this year. Staff recommends approval of this highly visible project.

Approval of this will require a motion, second and roll call vote.

**TOWN OF FAIRPLAY, COLORADO  
RESOLUTION NO. 2017-13**

**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A PROPERTY IMPROVEMENT INCENTIVE PROGRAM (PIIP) AGREEMENT BETWEEN THE TOWN AND DALE FITTING FOR THE HAND HOTEL SIDING REPLACEMENT PROJECT.**

**WHEREAS**, the Town Board of the Town of Fairplay specifically finds that entering into this PIIP Agreement will enhance the appearance of the property thereby enhancing the appearance of the Town as a whole; and

**WHEREAS**, the Town Board finds that enhancing the appearance of the property and the Town promotes the public welfare including the expansion of property tax generating business and expanded employment opportunities; and

**WHEREAS**, the Board of Trustees has reviewed the PIIP Agreement and finds it to be in compliance with the provisions of Section 4-9-80 of the Fairplay Municipal Code.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO**, that the Mayor is authorized to enter into this agreement between the Town of Fairplay and Dale Fitting as described in the agreement, attached hereto as "Exhibit A", and to execute the same on behalf of the Town.

**RESOLVED, APPROVED, and ADOPTED** this 5th day of June, 2017.

**TOWN OF FAIRPLAY, COLORADO**

(Seal)

\_\_\_\_\_  
Gabby Lane, Mayor

ATTEST:

\_\_\_\_\_  
Tina Darrah, Town Clerk

**PROPERTY IMPROVEMENT INCENTIVE PROGRAM AGREEMENT  
(Hand Hotel Siding Replacement Project)**

THIS PROPERTY IMPROVEMENT INCENTIVE PROGRAM AGREEMENT (Hand Hotel Siding Replacement Project) (hereafter referred to as the "Hand Hotel Siding Replacement Project PIIP Agreement") is made and executed this 5<sup>th</sup> day of June, 2017, by and between the TOWN OF FAIRPLAY, COLORADO, a Colorado statutory municipal corporation, (hereafter referred to as the "Town"), and Dale Fitting, (hereafter referred to as the "Owner").

WITNESSETH

WHEREAS, the Owner is the owner of certain real property in the Town commonly described as 531 Front Street, (the "Property"); and

WHEREAS, the Owner proposes to improve the Property by **replacing the siding on the southeast side and back of the Hand Hotel**, which improvement will enhance the appearance of the Property and of the Town; and

WHEREAS, in entering into this PIIP Agreement, the Town Board of the Town specifically finds that the criteria for approval of a PIIP Agreement set forth in Section 4-9-80 of the Fairplay Municipal Code are met; and

WHEREAS, the parties hereto wish to set forth in full their agreement as to the nature and extent of the improvements which shall be constructed and installed by the Owner within and upon the Property, and the manner for and extent of the reimbursement to the Owner for a portion of the cost of such construction and installation; and

WHEREAS, the parties wish to memorialize all aspects of their agreement as to the terms and conditions of such reimbursement in this PIIP Agreement.

NOW THEREFORE, the parties hereto, for themselves, their successors and assigns (to the extent this PIIP Agreement is assignable, as specified hereinafter), in and for the consideration of the performance of the mutual covenants and promises set forth herein, the receipt and adequacy of which are hereby acknowledged, do hereby covenant and agree as follows:

1. **Authority.** This PIIP Agreement is entered into in compliance with the provisions of Article 9, Chapter 4 of the Fairplay Municipal Code.

2. **Scope of Work.** The parties hereby mutually agree that Owner shall construct, or cause to be constructed, the improvements to the Property set forth in **Exhibit A** hereto (the "Work" or the "Project"). Such work shall be completed to the reasonable satisfaction of the Town prior to any reimbursement pursuant to this PIIP Agreement. Any change in the Scope of Work shall require the prior written approval of the Town and may result in a decrease in the amount of the reimbursement should the Town reasonably determine that the change diminishes the cost or value of the improvements. The construction or installation of the improvements shall commence no later than September 1, 2017, and shall be completed no later than December 31, 2017. Should the work not commence

or not be completed by the dates specified above this PIIP Agreement shall terminate and be of no further force or effect and the Town shall have no further obligations hereunder.

3. **Cost of Project.** The estimated cost of the Project is Forty Thousand, Nine Hundred and Fifty-Three Dollars (\$40,953).

4. **Contractor.** The work is being performed by R&R Roofing and Siding, PO Box 1389, Bailey, CO 80421.

5. **Property tax rebate and matching funds.** The parties hereby mutually agree that the maximum amount of real property taxes to be rebated to Owner by the Town shall be Five Thousand Seven Hundred Eight Dollars (\$5,708.00) and that such amount does not exceed the amount of real property taxes paid on the Property to the Town during the preceding five years. Owner shall pay not less than an amount equal to fifty percent (50%) of the total cost of the Project. Should the cost of the Project decrease during the Work the property tax rebate provided by the Town shall be reduced to assure that the Owner contributes at least fifty percent (50%) of the total cost of the Project.

6. **Maintenance of improvements.** Owner shall maintain the improvements in good condition and repair for a period of five years from and after the date of completion. Should Owner not perform this maintenance obligation Owner shall, upon written demand from the Town, refund to the Town all monies rebated to the Owner by the Town pursuant to this PIIP Agreement.

7. **Completion of work and payment of rebate.** Upon completion of the Work, Owner shall notify the Town of such completion and the Town shall perform an inspection of the improvements. If the improvements are completed in a satisfactory and workmanlike manner the Town shall accept same and shall, within thirty (30) day following such acceptance, rebate to the Owner the amount required by Paragraph 5 above.

8. **Annual appropriation.** The parties specifically acknowledge and agree that no undertaking on the part of the Town to rebate property taxes as specified herein constitutes a debt or obligation of the Town within any constitutional or statutory provision. The Town's obligations hereunder shall be subject to annual appropriation by the Town Board unless and until approved by the Town's electors.

9. **Assignment/Third party beneficiaries.** None of the obligations, benefits, and provisions of this PIIP Agreement shall be assigned in whole or in any part without the express written authorization of the Fairplay Town Board. In addition, no third party may rely upon or enforce any provision of this PIIP Agreement, the same being an agreement solely between the Town and the Owner, and which agreement is made for the benefit of no other person or entity.

10. **Successors and assigns.** This PIIP Agreement may be recorded and shall be binding on Owner's successors and assigns.

11. **Amendments.** This PIIP Agreement shall be subject to amendment only by a written instrument executed by each party. Any such amendment shall require the approval by the Town Board of the Town of Fairplay at a regular or special meeting of the Town Board, and execution thereof by the Mayor and attestation by the Town Clerk.

12. **Notices.** Any written notices provided for or required in this PIIP Agreement shall be deemed delivered when either personally delivered or mailed, postage fully prepaid, certified or registered mail, return-receipt requested, to the parties at the following addresses:

To the Town:           Town Administrator  
                              Town of Fairplay  
                              PO Box 267  
                              Fairplay, CO 80440

With a copy to:       Lee Phillips  
                              PO Box 1046  
                              Fairplay, CO 80440

To the Owner:         Dale Fitting  
                              PO Box 1059  
                              Fairplay, CO 80440

EXECUTED the day and year first above-written.

THE TOWN OF FAIRPLAY, COLORADO

\_\_\_\_\_  
Gabby Lane, Mayor

\_\_\_\_\_  
Tina Darrah, Town Clerk

OWNER:

  
\_\_\_\_\_  
Dale Fitting

5/11/17

TOWN OF FAIRPLAY

Property Improvement Incentive Program (PIIP)

APPLICATION for CONSIDERATION

Name of Applicant (Must be Property Owner): Dale W Fitting

Property Address: 531 Front Street

Mailing Address: Box 1059

Phone: 303-246-3581

Email: dale.fitting@gmail.com

Description of Project (attach photo of current property/project area, description and/or drawings of proposed improvements, estimates/bids, further narrative if needed, etc.):

~~Remove existing siding from SE side of Hotel and back of Hotel~~

Apply TYVEK housewrap and install new siding (James Hardie)

Paint new siding and trim

Estimated Cost of Project: \$40,953

Amount of PIIP Funds Applied for (cannot exceed amount of property tax paid to the Town of Fairplay over the last five years): \$5708.45

Amount of Matching Funds from Applicant (must be at least 50% of the cost of the project): \$35,244.55

Upon submission of this completed application a meeting will be scheduled for you to meet with the Town Staff regarding your application and the program.

By signing this application you certify that you have received and read the rules and regulations of the PIIP Program - Ordinance No. 1, 2014.

Applicant signature: Dale W Fitting Date: 4/28/2017



# R&R Roofing & Siding, Inc.

P.O. Box 1389, 60752 US Hwy 285, BAILEY, CO 80421

Phone 303-838-8126\* Fax 844-724-2593\*

Email: [info@rrroofingandsiding.com](mailto:info@rrroofingandsiding.com)

Visit us @ [www.rrroofingandsiding.com](http://www.rrroofingandsiding.com)



## Proposal/Contract

The Hand Hotel c/o Dale Fitting  
PO Box 1059  
Fairplay, CO 80440

home: -  
cell: (303) 246-3581  
e-mail: [dale.fitting@gmail.com](mailto:dale.fitting@gmail.com)

project # 2081  
work: -

Job Site: 531 Front St, Fairplay

e-mail: 0

Color:

**Job Description:** Based on 2,560 sf, ---East wall, Upper South wall & 1/2 lower South wall.

0.) Post permit. \*If applicable\*

1.) Protect all decks & rails with tarps.

2.) **BY OTHERS:** Remove existing trims & existing siding system, (multiple layers siding) and properly dispose of in on site dumpster.

\*\*Detach existing electrical details & set aside for later re-installation. \*\*

3.) Install Tyvek house wrap, with Tyvek tape to all side & top laps, complete with iws window wraps to all window & door perimeters.

4.) Install James Hardi 8 1/4" Cedarmill, (samples available upon request) in accordance with manufacturers specifications for high wind installation, complete with splice underlayment tabs, new matching trims of: 1x4" window & door trims, 1x8" light/electrical blocks,

5.) Additional accessories include: window, door & panel "Z" flashing, re-use existing deck "L" ledger flashing, detach/reset existing kitchen exhaust vents, .

6.) Re-install all removed cabling, satellite dishes, membrane term bar, etc. (Final "pointing" of satellite dish is required by satellite vendor and is excluded from contract price)

7.) Police area on a daily basis and remove all associated debris upon completion of the project.

9.) Special details/notes:

A. Existing Northeast and Southwest outside corner trims will remain.

B. Threshold under doors will remain as existing.

C. Detach & reset of deck posts will be completed on an hourly basis to be added to final invoice.

D. All existing building signage must be re-installed by others.

E. All personal property and vegetation is excluded from scope of work, all details must be addressed by others.

F. All existing window and door jambs are excluded and will remain as existing, along with exclusion for any damage incurred from vibration on old fixed glass panels.

G. All paint/paint details are excluded from scope of work.

10.) Special site notes: Easy access yard, however is commercial site, warning tape will be put up to keep customers out of work zone.

11.) Verify to production manager of inspection status and confirm final building department inspection.

12.) Remove all final debris and materials from site. \*All materials are per contract install-no return credit will be applied for additional materials on site\*

# Project Pricing/Financing Options

Price of Base Job Description:

\$24,453

Initial 50% due upon material delivery:

\$12,227

Final 50% due upon **job description** completion-(additional

\$12,227

Price of Options:

**\*All option payments are due 50% upon material delivery & 50% upon completion\***

Price with 5% cash/check payment discount:

A.) Add TBD Painting Services  
 B.)  
 C.)  
 D.)  
 E.)  
 F.)  
 G.) Deduct -\$1,956 CASH/CHECK DISCOUNT  
 H.)  
 L.)

Sum of Approved Options: TBD	
Grand Total of base <i>plus</i> all approved options	TBD

Finance Program Options/Payments:

**\*Please sign for authorization for financing,**

Payment Option #1-12month no interest/no payment (84mo)

3128 Down Payment: \$ -

x

x Monthly payment:

**\*Application ID:**

**\* last 4 ssn:**

Payment Option #2- 96months @ 9.99%

1969 Down Payment: \$ -

x Monthly payment: \$ 383.91

**\*\*Payment plans are approximate, to be finalized with loan approval of loan application.\*\***

Payment Option #3- 120months @ 9.99%

1209 Down Payment: \$ -

x Monthly payment: \$ 330.12

**\*Subject to final approved options\***

*Please initial beside payment option*

\*Final payment plan, will sum payment totals of base contract and applicable options payment schedules. Upon final acceptance/approval, the combination price will be concluded for customer convenience. This contract is fully binding, unless financing arrangements can not be acquired, then the contract may be canceled at customers request.\*



The Abatement Company, LLC  
P.O. Box 1894  
Leadville, CO 80461  
(719)429-4427  
theabatementcompany@yahoo.com



# Estimate

Dale Fitting  
Hand Hotel

1040                      04/25/2017

<b>ab</b>	1	16,500.00	16,500.00
Abatement of 2,100 sqft ACM non friable siding of the south side of building.			
<b>Cert</b>	1	0.00	0.00
up to date state certified abatement workers.			
<b>Per</b>	1	0.00	0.00
State Permit/notice			
<b>trash</b>	1	0.00	0.00
Proper ACM disposal at a certified dump site.			
<b>Services</b>	1	0.00	0.00
Boom lift rental 4 days			

**TOTAL**

**\$16,500.00**

This estimate is only for 2100 sq ft ACM removal of non friable siding on the south side of the hand hotel. Also per prier discussion with building owner he will have all materials removed from the side of the building before job starts. Thank you for your consideration please feel free to call Ryan with TAC any time for further questions 719-429-4427

Accepted By

Accepted Date



1492720396952650.JPG  
 PROJECT:[ PRJ #2081 (Fitting, Dale - Fairplay - Partial Siding replacement estimate) ]

Front elevation



1492720413157314.JPG  
 PROJECT:[ PRJ #2081 (Fitting, Dale - Fairplay - Partial Siding replacement estimate) ]

Left/EAST elevation



1492720473761796.JPG  
 PROJECT:[ PRJ #2081 (Fitting, Dale - Fairplay - Partial Siding replacement estimate) ]

All existing building signage to be removed and reset by others





1492720508225578.JPG  
 PROJECT:[ PRJ #2081 (Fitting, Dale - Fairplay - Partial Siding replacement estimate) ]

Detach and reset existing membrane term bar



1492720540027909.JPG  
 PROJECT:[ PRJ #2081 (Fitting, Dale - Fairplay - Partial Siding replacement estimate) ]

Multiple layers of siding, to be removed and disposed of by others



1492720567284667.JPG  
 PROJECT:[ PRJ #2081 (Fitting, Dale - Fairplay - Partial Siding replacement estimate) ]

All personal property to be removed and reset by others



*Thank you for your business!*



1492720607428633.JPG  
 PROJECT:[ PRJ #2081 (Fitting, Dale - Fairplay - Partial  
 Siding replacement estimate) ]

Existing exhaust vents



1492720640513954.JPG  
 PROJECT:[ PRJ #2081 (Fitting, Dale - Fairplay - Partial  
 Siding replacement estimate) ]

Existing riser support free from wall



1492720673242899.JPG  
 PROJECT:[ PRJ #2081 (Fitting, Dale - Fairplay - Partial  
 Siding replacement estimate) ]

Existing light fixture



*Thank you for your business!*



1492720693004028.JPG  
 PROJECT:[ PRJ #2081 (Fitting, Dale - Fairplay - Partial Siding replacement estimate) ]

Rear elevation first story siding detail.  
 East end only to match west end 7"  
 exposure siding



1492720782141219.JPG  
 PROJECT:[ PRJ #2081 (Fitting, Dale - Fairplay - Partial Siding replacement estimate) ]

Existing roof detail to remain



1492720819538176.JPG  
 PROJECT:[ PRJ #2081 (Fitting, Dale - Fairplay - Partial Siding replacement estimate) ]

Existing siding detail





1492720984493173.JPG  
 PROJECT:[ PRJ #2081 (Fitting, Dale - Fairplay - Partial Siding replacement estimate) ]

Detach and reset of Internet dish to be completed by others



1492721032508881.JPG  
 PROJECT:[ PRJ #2081 (Fitting, Dale - Fairplay - Partial Siding replacement estimate) ]

Rear elevation 2nd story overview



1492721071910808.JPG  
 PROJECT:[ PRJ #2081 (Fitting, Dale - Fairplay - Partial Siding replacement estimate) ]

Existing seal breaks on windows (condensation) existing and original inspection





## MEMORANDUM

**TO:** Mayor and Board of Trustees  
**FROM:** Tina Darrah, Town Administrator/Clerk  
**RE:** ESTIP Agreement with Mike Friedrich  
**DATE:** May 31, 2017

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**Agenda Item:** Should the Board Approve Adoption of Resolution No. 14, series of 2017, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO AUTHORIZING THE EXECUTION OF AN ENHANCED SALES TAX INCENTIVE AGREEMENT (ESTIP) BETWEEN THE TOWN AND MIKE FRIEDRICH FOR THE DEPOT PROJECT.”?**

While this is a public hearing, it is not posted or published as no requirement exists for that level of notification. As directed by the Board, the base amount used for this agreement is zero, as this is a new business development to the Town. The agreed upon amount of sales tax to be rebated over a five year period of a 50/50 split is \$25,000. This means the applicant will receive up to, but no more than, \$25,000 over a five year period. The start date is July 1, 2017.

**Recommended Action:**

**Motion to approve Resolution #14, of 2017. This will require a roll call vote.**

**TOWN OF FAIRPLAY, COLORADO**  
**RESOLUTION NO. 2017- 14**

**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF AN ENHANCED SALES TAX INCENTIVE PROGRAM (ESTIP) AGREEMENT BETWEEN THE TOWN AND MIKE FRIEDRICH FOR THE DEPOT PROJECT.**

**WHEREAS**, the Town Board of the Town of Fairplay specifically finds that entering into this ESTIP Agreement will encourage the establishment or substantial expansion of retail sales tax generating businesses within the Town; thereby stimulating the economy of and within the Town; thereby providing employment for residents of the Town and others; thereby expanding the goods available for purchase and consumption by residents of the Town; and further increasing the sales taxes collected by the Town; and

**WHEREAS**, the Town Board finds that the redevelopment of the Property is necessary to promote the public welfare including the expansion of retail sales tax and/or property tax generating business and expanded employment opportunities; and

**WHEREAS**, the Town Board further finds that entering into this ESTIP Agreement shall provide a mechanism for the provision to the residents of the Town of necessary public improvements at no cost or reduced cost to the residents and the government of the Town; and

**WHEREAS**, the Board of Trustees has reviewed the ESTIP Agreement and finds it to be in compliance with the provisions of Article VII, Chapter Four, of the Fairplay Municipal Code.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO**, that the Mayor is authorized to enter into this agreement between the Town of Fairplay and Mike Friedrich as described in the agreement, attached hereto as "Exhibit A", and to execute the same on behalf of the Town.

**RESOLVED, APPROVED, and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2017.

**TOWN OF FAIRPLAY, COLORADO**

(Seal)

\_\_\_\_\_  
Gabby Lane, Mayor

ATTEST:

\_\_\_\_\_  
Tina Darrah, Town Clerk

RES – ESTIP agmt



**ENHANCED SALES TAX INCENTIVE PROGRAM AGREEMENT  
(THE DEPOT Project)**

THIS ENHANCED SALES TAX INCENTIVE PROGRAM AGREEMENT (hereafter referred to as the "THE DEPOT ESTIP Agreement") is made and executed this \_\_\_ day of \_\_\_\_\_, 2017, by and between the TOWN OF FAIRPLAY, COLORADO, a Colorado statutory municipality, (hereafter referred to as the "Town"), and MIKE FRIEDRICH (hereafter referred to as the "Redeveloper").

**WITNESSETH**

WHEREAS, the Redeveloper is the owner of certain real property in the Town of Fairplay, Colorado, commonly known and numbered as 601 Main Street, Fairplay, Colorado 80440 (hereafter referred to as the "Property"); and

WHEREAS, the Redeveloper proposes to redevelop the Property as a retail Art Gallery which redevelopment will include the construction of certain public or public-related improvements generally described as furniture, fixtures and improvements to real property which will generate new sales taxes and employment opportunities in the Town; and

WHEREAS, in entering into this ESTIP Agreement, the Town Board of the Town specifically finds that entering into this ESTIP Agreement will encourage the establishment or substantial expansion of retail sales tax generating businesses within the Town; thereby stimulating the economy of and within the Town; thereby providing employment for residents of the Town and others; thereby expanding the goods available for purchase and consumption by residents of the Town; and further increasing the sales taxes collected by the Town; and

WHEREAS, the Town Board finds that the redevelopment of the Property is necessary to promote the public welfare including the expansion of retail sales tax and/or property tax generating business and expanded employment opportunities; and

WHEREAS, the Town Board further finds that entering into this ESTIP Agreement shall provide a mechanism for the provision to the residents of the Town of necessary public improvements at no cost or reduced cost to the residents and the government of the Town; and

WHEREAS, the parties hereto wish to set forth in full their agreement as to the general nature and extent of the public improvements which shall be constructed and installed by the Redeveloper within and upon the Property, and the manner for and extent of the reimbursement to the Redeveloper for such construction and installation; and

WHEREAS, the parties wish to memorialize all aspects of their agreement as to the terms and conditions of such reimbursement in this ESTIP Agreement.

NOW THEREFORE, the parties hereto, for themselves, their successors and assigns (to the extent this ESTIP Agreement is assignable, as specified hereinafter), in and for the consideration of the performance of the mutual covenants and promises set forth herein, the receipt and adequacy of which are hereby acknowledged, do hereby covenant and agree as follows:

1. This ESTIP Agreement is entered into in compliance with Ordinance No. 3A, Series of 2008 of the Town of Fairplay (the "ESTIP Ordinance").

2. The parties hereby mutually agree that Redeveloper has constructed, or caused to be constructed, certain public or public-related improvements within or adjacent to the Property including but not limited to the creation of new retail sales tax generating facilities together with signage, furniture and fixtures. The parties covenant and agree that such improvements, as well as the additional employment opportunities and tax revenues to be generated by the redevelopment of the Property are significant benefits to the Town and its residents, and that the reimbursements contemplated by this Agreement are for a valid and important public purpose.

3. The parties hereby mutually agree that the base amount of the Town's four percent (4%) general sales tax to be used in determining the "enhanced sales tax" to be shared hereunder is Zero Dollars (\$0.00) annually. Pursuant to the provisions of the ESTIP Ordinance, all sales tax revenues collected from any and all businesses within the Property which exceed Zero Dollars (\$0.00) annually shall constitute "enhanced sales taxes" and shall be subject to division as specified herein.

4. The parties hereby agree that any and all "enhanced sales taxes" as defined in paragraph 3 above shall be subject to sharing by the Town and the Redeveloper on a 50/50 basis, with Fifty percent (50%) of said enhanced sales taxes being available to the Town for use in its discretion, and Fifty percent (50%) being reimbursed to the Redeveloper for the cost of the public and public-related improvements.

5. The parties agree that the maximum amount of "enhanced sales tax" revenue which is subject to distribution to the Redeveloper from sales within the Property hereunder shall be Twenty-Five Thousand Dollars (\$25,000.00), and that the "enhanced sales taxes" shall be shared beginning June 1, 2017, through and including May 31, 2022. The parties specifically acknowledge and agree that whether or not the entire Twenty-Five Thousand Dollars (\$25,000.00) has been received by Redeveloper, this ESTIP Agreement shall terminate following division and payment of the sales tax increment through May 31, 2022. Likewise, the parties acknowledge and agree that receipt by Redeveloper of the entire Twenty-Five Thousand Dollars (\$25,000.00) prior to May 31, 2022, shall terminate this ESTIP Agreement.

6. It shall be the duty of the Town to undertake collection of all sales taxes generated from the Property, and thereafter to administer division and sharing thereof, in accordance with the provisions of the ESTIP Ordinance. The parties agree that, for purposes of administration of

this ESTIP Agreement, reimbursement to Redeveloper shall commence with sales taxes collected on or after June 1, 2017, and shall occur on a quarterly basis (i.e., January - March, April - June, July - September, and October - December) using Zero Dollars (\$0.00) as a consistent quarterly base amount. As provided in the ESTIP Ordinance, in the event, in any quarterly period, the agreed quarterly base amount is not met by the Redeveloper, and thus, no enhanced sales taxes are generated for that quarter, no funds shall be shared with the Redeveloper for said quarter, and no increment shall be shared for that year until that deficit, and any cumulative deficit, if any, has been satisfied. Reimbursements to Redeveloper shall be made within sixty (60) days following the last day of each quarter and shall be calculated based upon all sales taxes paid to the Town from the Property in the preceding quarter.

7. The parties specifically acknowledge and agree that no undertaking on the part of the Town to share "enhanced sales taxes" as specified herein constitutes a debt or obligation of the Town within any constitutional or statutory provision. The Town's obligations hereunder shall be subject to annual appropriation by the Town Board unless and until approved by the Town's electors.

8. Any and all undisbursed "enhanced sales tax" increment subject to sharing hereunder shall be escrowed in the event there is a legal challenge to the Enhanced Sales Tax Incentive Program in general or to this ESTIP Agreement. In the event of such a legal challenge, Redeveloper may continue to receive reimbursements under this Agreement if it posts a bond or other security, in a form acceptable to the Town, for the full amount of such reimbursements. The Town shall actively defend against any such legal challenge, and the Redeveloper may participate in such defense at its own cost and expense.

9. None of the obligations, benefits, and provisions of this ESTIP Agreement shall be assigned in whole or in any part without the express written authorization of the Fairplay Town Board. In addition, no third party may rely upon or enforce any provision of this ESTIP Agreement, the same being an agreement solely between the Town and the Redeveloper, and which agreement is made for the benefit of no other person or entity. The preceding sentence notwithstanding, this Agreement and the Redeveloper's rights hereunder may be assigned to a company under substantially the same ownership and/or to a lender who holds a first deed of trust against the Property.

10. This ESTIP Agreement shall be subject to amendment only by a written instrument executed by each party. Any such amendment shall require the approval by the Town Board of the Town of Fairplay at a regular or special meeting of the Town Board, and execution thereof by the Mayor and attestation by the Town Clerk.

11. Any written notices provided for or required in this ESTIP Agreement shall be deemed delivered when either personally delivered or mailed, postage fully prepaid, certified or registered mail, return-receipt requested, to the parties at the following addresses:

5/11/17

To the Town: Town Administrator  
Town of Fairplay  
PO Box 267  
Fairplay, CO 80440

With a copy to: Herbert C. Phillips  
PO Box 1046  
Fairplay, CO 80440

To the Purchaser: Mike Friedrich  
PO Box \_\_\_\_\_  
\_\_\_\_\_, CO \_\_\_\_\_

DONE AND RESOLVED this day and date first above set forth.

THE TOWN OF FAIRPLAY, COLORADO

ATTEST:

\_\_\_\_\_  
Gabby Lane, Mayor

\_\_\_\_\_  
Tina Darrah, Town Clerk

STATE OF COLORADO            )  
                                          ) ss.  
COUNTY OF                    )

Subscribed, sworn to and acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
2017, by Gabby Lane as Mayor of the Town of Fairplay and Tina Darrah as Town Clerk.

My commission expires: \_\_\_\_\_

(SEAL)

\_\_\_\_\_  
Notary Public

By: \_\_\_\_\_

STATE OF COLORADO )  
                                                          )  
COUNTY OF                                                          ) ss.

Subscribed, sworn to and acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by \_\_\_\_\_ as \_\_\_\_\_ of \_\_\_\_\_, a Colorado \_\_\_\_\_.

My commission expires:

(SEAL)

\_\_\_\_\_  
Notary Public

**BIZ/ESTIP APPLICATION**  
**Town of Fairplay**

1. Name of Applicant: MIKE FRIEDRICH.
2. Address of Applicant: 601 MAIN ST  
FAIRPLAY, CO
3. Type of entity (individual, corporation, limited liability company, etc): LLC
4. Briefly describe the business operations of the Applicant; i.e. retail clothing sales, convenience store, etc.  
RETAIL - Art Gallery - *with potential for expansion to other retail*  
"The Depot"
5. Is the Applicant a new business in Fairplay? Yes  No
6. If so, when do you expect the business to open?  
6-1-17
7. Is this an existing business in Fairplay? Yes  No
8. If so, when did the business open? \_\_\_\_\_
9. Have you read the Fairplay BIZ and/or ESTIP Ordinance (copies attached)? Yes  No

10. Are you applying for participation in the BIZ Program, the ESTIP Program, or both programs?

BIZ     

ESTIP X

Both BIZ and ESTIP     

11. In a separate sheet please provide any information about your business and your wish to participate in the BIZ and/or ESTIP Program(s) which you feel will be helpful to the Town in considering your application.

Upon submission of this completed application you will be contacted to schedule a meeting with town staff regarding your application and the program under which you are applying. As part of the application process you may be required to submit confidential financial information regarding your business, including but not limited to tax returns, financial statements, loan balances, sales figures, and costs of construction. Any such information is not a public record under Colorado law and will be kept in confidence. By signing this application you acknowledge this requirement.

Thank you for your interest in the Fairplay BIZ and ESTIP Programs. We look forward to working with you.

APPLICANT:

MIKE FRIEDRICH

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## MEMORANDUM

**TO:** Mayor and Board of Trustees  
**FROM:** Vaughn Mead, Public Works Director  
**RE:** Bids for Road and Intersection Repairs  
**DATE:** May 31, 2017

---

In 2015, the Town started a long term solution to repair and maintain our Town Streets. A section of Castello and a Section of 8<sup>th</sup> Street were completed. This year I would like to continue with this long term goal by putting a 3 inch overlay at the intersections of Bogue and 8<sup>th</sup> Street, Hathaway and 5<sup>th</sup> Street, Castello and 5<sup>th</sup> Street, and Clark and 5<sup>th</sup> Street. I would also like to continue the overlay on Castello from 8<sup>th</sup> Street to 5<sup>th</sup> Street. The section of 5<sup>th</sup> Street between Castello Street and Clark Street is in serious disrepair and I would like to overlay that section with a 3 inches of asphalt as well.

One of the companies I invited to bid sent me a notice indicating that they would not be bidding for this job. (See included email from ACA.) The other local company I did not hear back from was A-Peak Asphalt.

Pavement Maintenance Services, Inc., which is the company that we used two years ago, did send a bid for the 49,207 square feet of roadways listed above. Their bid includes a 3 inch asphalt overlay, preparation of areas, and mobilization at a total cost of \$96,009.16.

Staff recommends that the Board approve entering into an agreement with PMS for this bid amount.

Recommended motion:

Motion to approve Resolution No. 15 entering into a Professional Services Agreement with Pavement Maintenance Services, Inc. to pave the mentioned section of Town for an amount not to exceed \$96, 009.16. This requires a second and a roll call vote.

**RESOLUTION NO. 15**  
**(Series of 2017)**

**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A CONTRACT WITH PAVEMENT MAINTENANCE SERVICES, INC FOR WORK TO BE PERFORMED IN THE TOWN OF FAIRPLAY, COLORADO.**

**WHEREAS**, Pavement Maintenance Services, Inc. has submitted a proposal for specific paving services to be performed in the Town of Fairplay and,

**WHEREAS**, the Fairplay Board of Trustees has made it known that this project is of utmost importance to the Town of Fairplay and,

**WHEREAS**, the Board of Trustees has reviewed the document and desires to enter into this agreement with Pavement Maintenance Services, Inc. for the services specified on the agreement.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO**, that the Mayor is authorized to enter into this agreement between the Town of Fairplay and Pavement Maintenance Services, Inc. as described in the proposal, attached hereto as "Exhibit A", and to execute the same on behalf of the Town.

**RESOLVED, APPROVED, and ADOPTED** this 5<sup>th</sup> day of June, 2017.

**TOWN OF FAIRPLAY, COLORADO**

(Seal)

\_\_\_\_\_  
Gabby Lane, Mayor

ATTEST:

\_\_\_\_\_  
Tina Darrah, Town Clerk

RES - contract authorization approval.

## AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT is made and entered into this 5th day of June, 2017, by and between the Town of Fairplay, a Colorado statutory municipality (the "Town") and Pavement Maintenance Services, Inc., an independent contractor ("Contractor").

WHEREAS, the Town requires professional paving services; and

WHEREAS, Contractor 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. Contractor 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 Contractor proceeds without such written authorization, then Contractor shall be deemed to have waived any claim for additional compensation, including a claim based on the theory of unjust enrichment, quantum merit or implied contract.

### II. COMPENSATION

A. In consideration for the completion of the Scope of Services by Contractor, the Town shall pay Contractor an amount not to exceed 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 Contractor in performing all services hereunder.

B. Notwithstanding the maximum amount specified in subsection A hereof, Contractor shall only be paid for work performed.

### III. COMMENCEMENT AND COMPLETION OF WORK

Within ten (10) days of receipt of a Notice to Proceed, Contractor 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 Contractor shall furnish the Town the specified deliverables as provided in **Exhibit A**.

#### **IV. PROFESSIONAL RESPONSIBILITY**

A. Contractor 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 Contractor 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 Contractor hereunder shall be done in compliance with applicable laws, ordinances, rules and regulations.

C. Contractor shall be responsible for the professional quality and timely completion, of the Scope of Work under this Agreement. Contractor shall, without additional compensation, correct or resolve any workmanship that falls below standard of professional practice.

#### **V. INSURANCE**

A. Contractor 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 Contractor pursuant to this Agreement. Such insurance shall be in addition to any other insurance requirements imposed by law.

B. Contractor shall procure and maintain, and shall cause any subcontractor of Contractor 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. 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 Contractors as additional insureds. No additional insured endorsement shall contain any exclusion for bodily injury or property damage arising from completed operations.

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

D. Contractor shall provide to the Town a certificate of insurance, completed by Contractor'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 Contractor 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 Contractor to the Town upon demand, or the Town may offset the cost of the premiums against any monies due to Contractor from the Town.

## **VI. INDEMNIFICATION**

Contractor 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 Contractor, any subcontractor of Contractor, or any officer, employee, representative, or agent of Contractor or of any subcontractor of Contractor, or which arise out of any workmen's compensation claim of any employee of Contractor or of any employee of any subcontractor of Contractor.

## **VII. 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 Contractor 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 Contractor for all work previously authorized and completed prior to the date of termination. If, however, Contractor 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 Contractor.

## **VIII. CONFLICT OF INTEREST**

Contractor 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.

## **IX. INDEPENDENT CONTRACTOR**

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

## **X. ILLEGAL ALIENS**

A. Certification. Contractor hereby certifies that, at the time of this certification, it does not knowingly employ or contract with an illegal alien who will perform work under the Agreement and that the Contractor 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. Contractor shall not:

(1) Knowingly employ or contract with an illegal alien to perform work under this Agreement; or

(2) Enter into a contract with a subcontractor that fails to certify to Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Agreement.

C. Verification.

(1) If Contractor has employees, Contractor 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) Contractor 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 Contractor obtains actual knowledge that a subcontractor performing work under this Agreement knowingly employs or contracts with an illegal alien who is performing work under the Agreement, Contractor shall:

a. Notify the subcontractor and the Town within three (3) days that Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien 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 illegal alien who is performing work under the Agreement; except that Contractor 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 an illegal alien who is performing work under the Agreement.

D. Contractor 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 Contractor is complying with this Agreement.

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

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

## **XI. 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 Contractor 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contractor:

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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 (presently one hundred fifty thousand dollars (\$150,000) per person and six hundred thousand dollars (\$600,000) per occurrence) 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**

\_\_\_\_\_  
Gabby Lane, Mayor

ATTEST:

\_\_\_\_\_  
Tina Darrah, Town Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Herbert C. Phillips, Town Attorney

**CONTRACTOR**

By: \_\_\_\_\_

**NO EMPLOYEE AFFIDAVIT**

*[To be completed only if Contractor does not have any employees]*

**1. Check and complete one:**

I, \_\_\_\_\_, am a sole proprietor doing business as \_\_\_\_\_. I do not currently employ any individuals. Should I employ any individuals during the term of my Agreement with the Town, I certify that I will comply with the lawful presence verification requirements outlined in that Agreement.

OR

I, \_\_\_\_\_, am the sole owner/member/shareholder of \_\_\_\_\_, a \_\_\_\_\_ [specify type of entity – *i.e.*, corporation, limited liability company], that does not currently employ any individuals. Should I employ any individuals during the course of my Agreement with the Town, I certify that I will comply with the lawful presence verification requirements outlined in that Agreement.

**2. Check one.**

I am a United States citizen or legal permanent resident.

*The Town must verify this statement by reviewing one of the following items:*

- *A valid Colorado driver's license or a Colorado identification card;*
- *A United States military card or a military dependent's identification card;*
- *A United States Coast Guard Merchant Mariner card;*
- *A Native American tribal document;*
- *In the case of a resident of another state, the driver's license or state-issued identification card from the state of residence, if that state requires the applicant to prove lawful presence prior to the issuance of the identification card; or*
- *Any other documents or combination of documents listed in the Town's "Acceptable Documents for Lawful Presence Verification" chart that prove both the contractor's citizenship/lawful presence and identity.*

OR

I am otherwise lawfully present in the United States pursuant to federal law.

*Contractor must verify this statement through the Federal Systematic Alien Verification of Entitlement program, the "SAVE" program, and provide such verification to the Town.*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**DEPARTMENT PROGRAM AFFIDAVIT**

*[To be completed if Contractor participates in the Department of Labor Lawful Presence Verification Program]*

I, \_\_\_\_\_, as a public contractor under contract with the Town of Fairplay (the "Town"), hereby affirm that:

1. I have examined or will examine the legal work status of all employees who are newly hired for employment to perform work under this public contract for services ("Contract") with the Town within twenty (20) days after such hiring date;

2. I have retained or will retain file copies of all documents required by 8 U.S.C. § 1324a, which verify the employment eligibility and identity of newly hired employees who perform work under this Contract; and

3. I have not and will not alter or falsify the identification documents for my newly hired employees who perform work under this Contract.

\_\_\_\_\_  
Contractor Signature

\_\_\_\_\_  
Date

STATE OF COLORADO             )  
                                                  ) ss.  
COUNTY OF \_\_\_\_\_         )

The foregoing instrument was subscribed, sworn to and acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by \_\_\_\_\_ as \_\_\_\_\_ of \_\_\_\_\_.

My commission expires:

( S E A L )

\_\_\_\_\_  
Notary Public

**INVITATION TO BID**

Date: May 2017

Sealed Bids will be received by the Town of Fairplay, Colorado at the Town Hall, located at 901 Main Street, Fairplay Colorado, 80440 until 3:00 p.m., local time, on May 24, 2017, for the project entitled 2017 Street Overlay Project.

At said place and time, and promptly thereafter, all Bids that have been duly received will be publicly opened and read aloud.

The project generally consists of: mobilization, providing temporary traffic control, patching pot holes and asphalt overlaying of about 49,207 square feet of streets, as shown on the project map.

It is anticipated that the Contract Agreement will be signed and the Notice to Proceed will be issued on June 5, 2017. Construction shall be complete and ready for use and operation within thirty (30) consecutive days.

The Town of Fairplay, Colorado reserves the right to reject any and all Bids, to waive informalities, and to reject non-conforming, non-responsive, or conditional Bids.

By: Vaughn Mead  
Town of Fairplay, Public Works Director

(TOWN OF FAIRPLAY)  
(2017 STREET OVERLAY PROJECT)

**BID SCHEDULE**

**TOWN OF FAIRPLAY  
2017 STREET OVERLAY PROJECT**

ITEM	DESCRIPTION OF BID ITEM	QUANTITY	UNIT	UNIT PRICE	COST
1	MOBILIZATION	1	LS	1,500.00	1,500.00
2	TRAFFIC CONTROL	1	LS	800.00	800.00
3	POTHOLE PATCHING	1	LS	1,200.00	1,200.00
5	ASPHALT OVERLAY 3" THICK	49207	SF	1.88	92509.16

TOTAL  
BASE BID

\$ 96,009.16

Ninety six thousand & nine & 16/100  
(use words)

BID SUBMITTAL

Pavement Maintenance Services, Inc.  
P.O. Box 1228  
Salida, CO 81201

Corporation Name: \_\_\_\_\_ (SEAL)

State of Incorporation: Colorado  
Type (General Business, Professional, Service, Limited Liability): Corporation

By: Chuck Murphy V.P.  
(Signature -- attach evidence of authority to sign)

Name (typed or printed): Chuck Murphy

Title: V.P.  
(CORPORATE SEAL)

Attest Christine J. Murphy

Bidder's Business Address P.O. Box 1228  
Salida, CO 81201

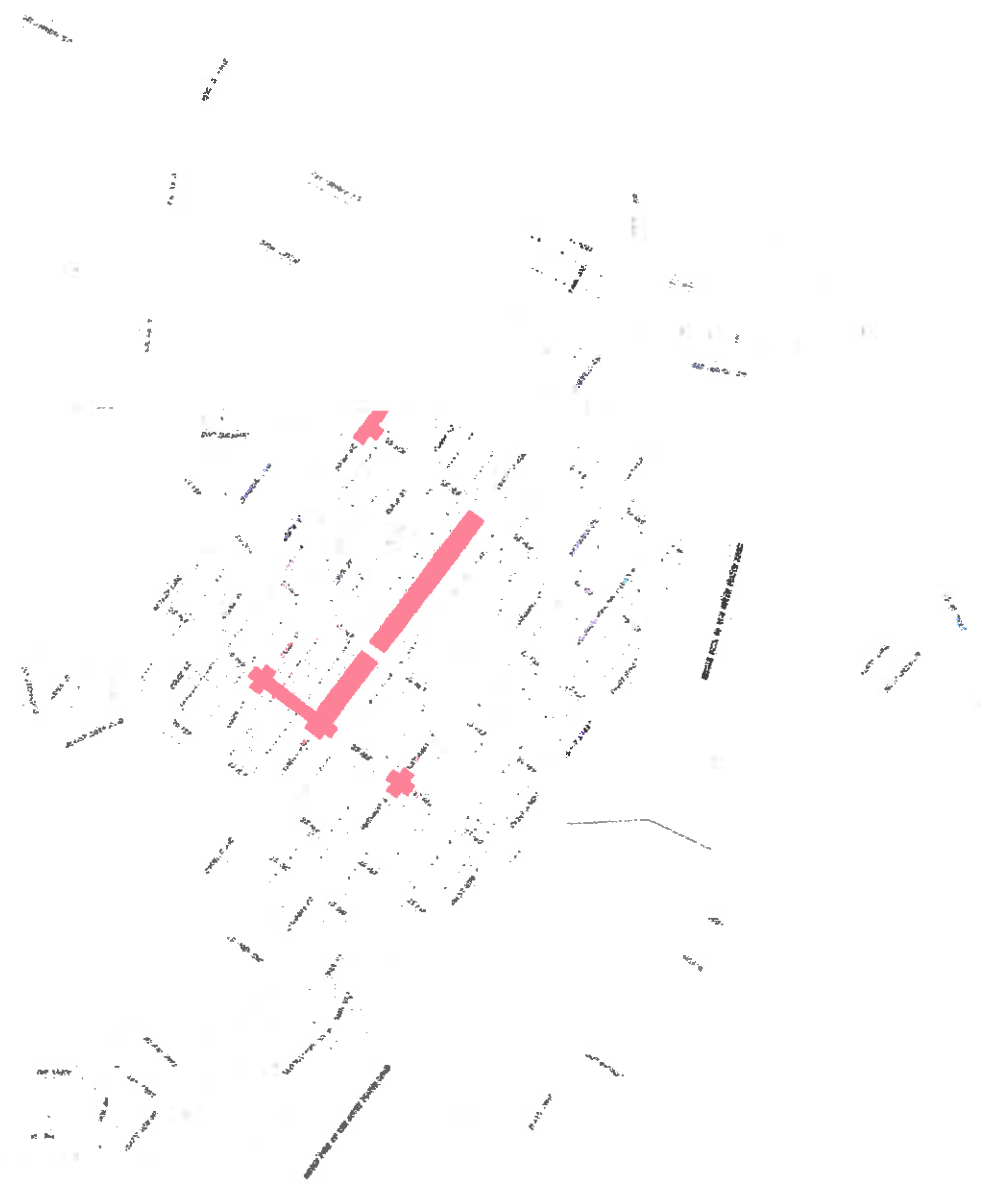
Phone No. (719) 539-1400 Fax No. (719) 539-1401

E-mail pmspaving@hotmail.com

Submitted on May 15, \_\_\_\_\_, 2017.

State Contractor License No. N/A


# TOWN OF FAIRPLAY, COLORADO 2017 STREET OVERLAY MAP



**LEGEND**

SOLID RED BARBERS  
 2017 STREET OVERLAY MAP  
 2017 STREET OVERLAY MAP

**MUNICIPALITY:**  
 TOWN OF FAIRPLAY, CO  
 PO BOX 367  
 901 MAIN ST.  
 PH: (719) 636-2622  
 FAX: (719) 636-3279



**ENGINEER**

**HIGH COUNTRY ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND SURVEYORS  
 1300 MAIN ST., STE 101  
 GLENWOOD SPRINGS, CO 81601  
 PH: (970) 845-3878  
 FAX: (970) 845-2556

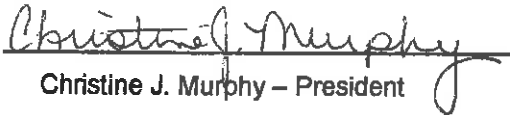
**PAVING AND PAVEMENT  
MAINTENANCE SERVICES, dba PMS  
PO Box 3  
Poncha Springs, CO 81242**

Corporate Stockholders Meeting Minutes:


Date: March 3, 2003

Resolution:

Be it resolved that Christine J. Murphy (51% shareholder in Pavement Maintenance Services and President of said Colorado Corporation), and Charles K. Murphy(49% shareholder in Pavement Maintenance Services and Vice President of said Colorado Corporation) have full signatory rights to: enter into construction contracts on behalf of the corporation; enter into lease, rental or purchase agreements on behalf of the corporation; or other contractual obligations required by day to day operations of Pavement Maintenance Services.

  
Christine J. Murphy – President

  
Charles K. Murphy – Vice President

  
Attest



## Tina Darrah

---

**From:** Vaughn Mead <[vmead@fairplayco.us](mailto:vmead@fairplayco.us)>  
**Sent:** Wednesday, May 31, 2017 12:10 PM  
**To:** [tdarrah@fairplayco.us](mailto:tdarrah@fairplayco.us)  
**Subject:** FW: RE: Overlay Project

**From:** [foulplaymead@reagan.com](mailto:foulplaymead@reagan.com) [<mailto:foulplaymead@reagan.com>]  
**Sent:** Wednesday, May 31, 2017 12:08 PM  
**To:** me  
**Subject:** FW: RE: Overlay Project

-----Original Message-----

**From:** "Mike Coleman" <[mcoleman@acaproducts.com](mailto:mcoleman@acaproducts.com)>  
**Sent:** Wednesday, May 24, 2017 9:43am  
**To:** "[foulplaymead@reagan.com](mailto:foulplaymead@reagan.com)" <[foulplaymead@reagan.com](mailto:foulplaymead@reagan.com)>  
**Subject:** RE: Overlay Project

Vaughn,

I just wanted to give you a heads up and let you know that ACA Products is not going to be able to quote your overlay project at this time. Thank you for the opportunity though.

Michael D. Coleman, President  
ACA Products, Inc.  
PO Box 1887/702 Gregg Drive  
Buena Vista, CO. 81211  
Ph. (719)395-3790  
Fax (719)395-3794

**From:** [foulplaymead@reagan.com](mailto:foulplaymead@reagan.com) [<mailto:foulplaymead@reagan.com>]  
**Sent:** Tuesday, May 16, 2017 2:17 PM  
**To:** Mike Coleman  
**Subject:** RE: Overlay Project

Yes Mike milling at transition points and tach oil under overlay will be part of the job. If you have time it would be beneficial if we could walk the areas at some point.

Thanks,  
Vaughn Public Works Director

-----Original Message-----

**From:** "Mike Coleman" <[mcoleman@acaproducts.com](mailto:mcoleman@acaproducts.com)>  
**Sent:** Monday, May 15, 2017 5:57pm  
**To:** "[vmead@fairplayco.us](mailto:vmead@fairplayco.us)" <[vmead@fairplayco.us](mailto:vmead@fairplayco.us)>  
**Cc:** "[foulplaymead@reagan.com](mailto:foulplaymead@reagan.com)" <[foulplaymead@reagan.com](mailto:foulplaymead@reagan.com)>  
**Subject:** Overlay Project

Vaughn,

Unfortunately I have not had a chance to get over to Fairplay to look at the streets that are getting the overlays, but I have a couple of questions off the top of my head. 1) Is there a coat of tach oil required between the old and the new asphalt? 2) Is milling required at the tie in locations?

Thank You,

Michael D. Coleman, President  
ACA Products, Inc.  
PO Box 1887/702 Gregg Drive  
Buena Vista, CO. 81211  
Ph. (719)395-3790  
Fax (719)395-3794

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TOWN OF FAIRPLAY  
TOWN PLANNER REPORT

---

2017-11

**PARK COUNTY REFERRAL  
REZONING**

- **APPLICANT:** High Speed Aggregate, Inc,
- **PROPERTY LOCATION:** 1215 Platte Drive – Katuska Pit
- **TOTAL ACREAGE:** Approx. 42 acres
- **CURRENT PARK COUNTY ZONING:** Residential
- **REQUEST:** Rezone from Residential to Mining

**SUMMARY OF APPLICATION**

The Park County Planning Department has referred this application to the Fairplay Board of Trustees for comment. The Park County Planning Commission hearing will be held on June 13<sup>th</sup>.

This rezoning application pertains to three separate parcels in Park County that are zoned Residential. These parcels are best depicted on the enclosed Proposed Development Plan and are referenced here by tax schedule number:

1. Schedule #13444 (19.5 acres) Shown as Phase 1 on the development plan and abuts the Town of Fairplay and Fairplay owned property. This parcel most directly affects the town.
2. Schedule # 5068 (20 acres) Shown as Phase 2 on the development plan.
3. Schedule # 43796 (2.02 acres) Shown as the southern portion of Phase 2 on the development plan.

The parcel abutting the Town of Fairplay is known as Katuska Pit, (Sch. # 13444) and abuts the town at the northwestern edge of the town limits, west of the Middle Fork of the South Platte River. The site is currently partially zoned Residential (southern portion) and partially zoned Mining (northern portion) by Park County, but is shown on a 2013 Park County current land use map as Active Mining. From the map, it appears that the northern one-half of the parcel is active mining, while the southern ½ is undeveloped. Apparently, the southern portion is subject to the rezoning action.

The other two parcels are west of the above referenced parcel.

The property abutting the Katuska Pit to the east is within the town boundary, and is owned by the Town of Fairplay. The Fairplay Comprehensive Plan shows that property as Open Space (passive) along the river corridor, with a proposed trail running through it. The southern portion of the parcel within the town is shown as Single Family

Residential on the Plan. That single-family portion of the Fairplay property abuts the Park County land that is proposed to be rezoned to Mining, which could be considered as a conflicting zoning pattern.

### **COMPLIANCE WITH FAIRPLAY COMPREHENSIVE PLAN**

The Fairplay Comprehensive Plan makes several references to the subject property:

- The Future Land Use map designates a portion of the town parcel as desirable for Single Family Residential development. The adjacent parcel within the county is subject to rezoning from residential to mining.
- The Annexation chapter of the plan (p. 71,72) identifies the river corridor north of the town limits as a potential "Tier 2" annexation area. Tier 2 annexation includes properties further from the developed core of the town. These properties are identified for future growth to be considered for annexation and development as Fairplay grows and these lands become adjacent to town and infrastructure.

### **COMPLIANCE WITH PARK COUNTY STRATEGIC MASTER PLAN**

- The area that is subject to this rezoning action, both in the Park County jurisdiction and the Town of Fairplay jurisdiction is within a subarea entitled Fairplay and Alma Regional Hub. The Strategic Master Plan acknowledges that both municipalities have long range plans for potential annexations within this area.
- The Plan states that this subarea has significant potential for residential and commercial land use.

### **PROJECT ANALYSIS**

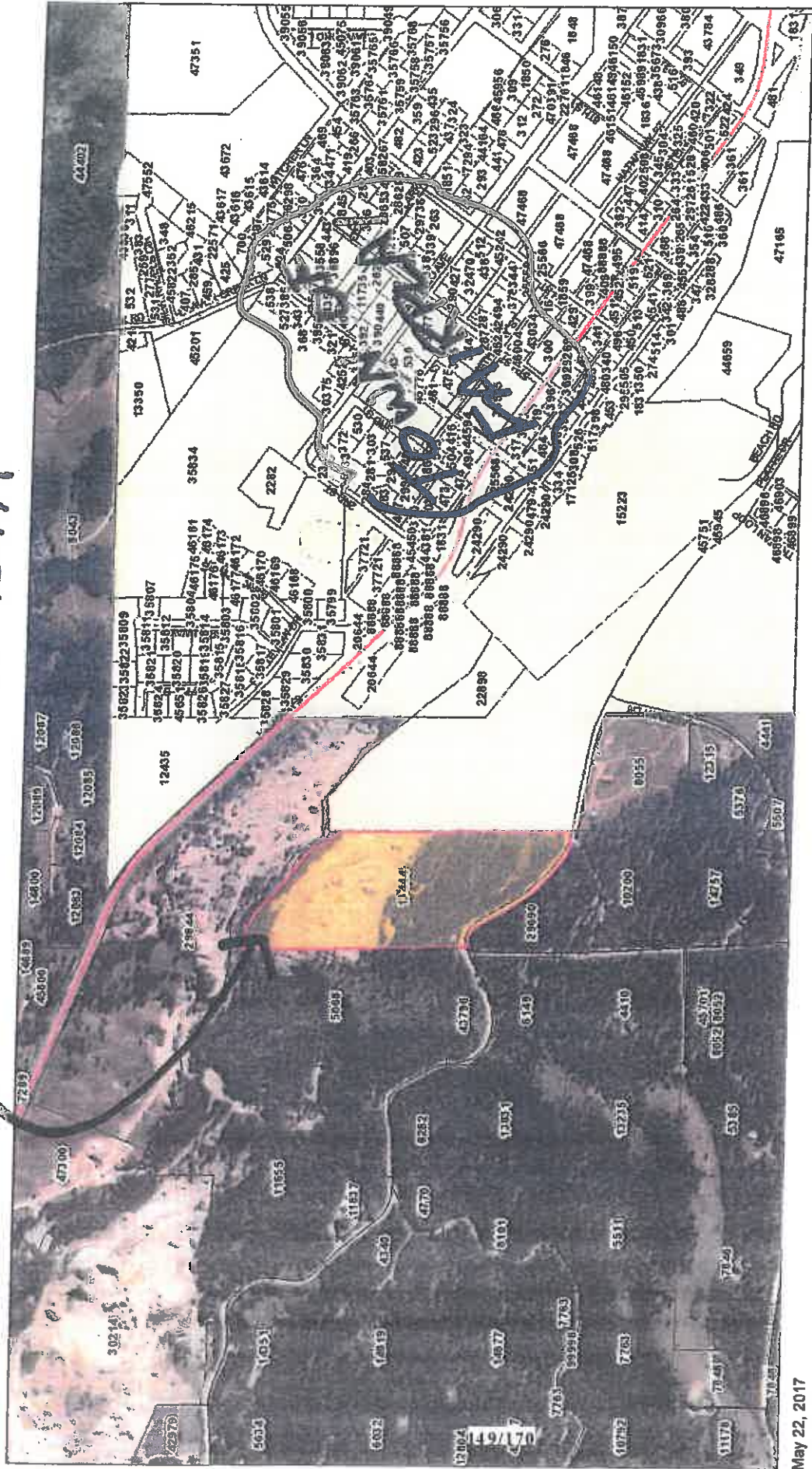
This staff report is in response to a rezoning request within Park County that may have impact on Town properties. Park County will integrate the town's comments into the public record regarding the development application.

The Town Planner recommends that the Board of Trustees respond to the referral after discussion at the Board of Trustees meeting.

*Prepared by:*  
Ron Newman  
Fairplay Town Planner

*copy:* Tina Darrah, Town Manager  
Lee Phillips, Town Attorney

*SCHEDULE # 13444*



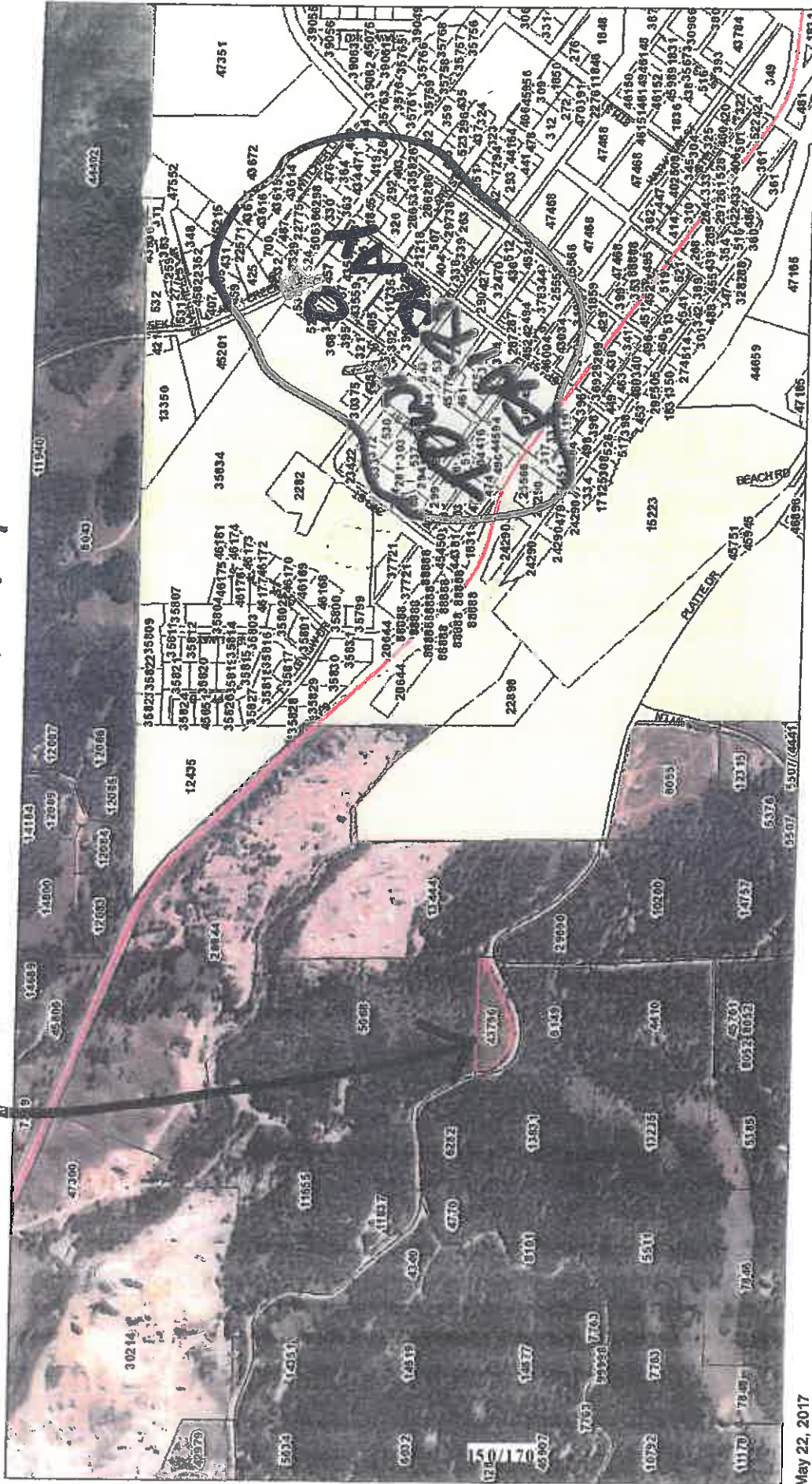
May 22, 2017

- TaxParcel
- COUNTRIES
- PARK
- ParkCounty.DBO.Roads\_Update\_02072016
- ALLEY
- COUNTY RD
- DRIVEWAY
- FOREST SERVICE RD
- LOCAL
- PRIVATE
- ST HWY
- TRAIL
- UNNAMED STREET
- US HWY
- USFS Park County Roads
- TownBoundaries
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

1:8,157  
0 500 1,000 2,000 ft  
0 165 330 660 m

USFS Forest Service, Park County  
 Park County GIS, Northline GIS  
 Esri, Garmin, GeoEye, Earthstar, GeoGraphics,  
 CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User  
 Community

SCHEDULE # 43796



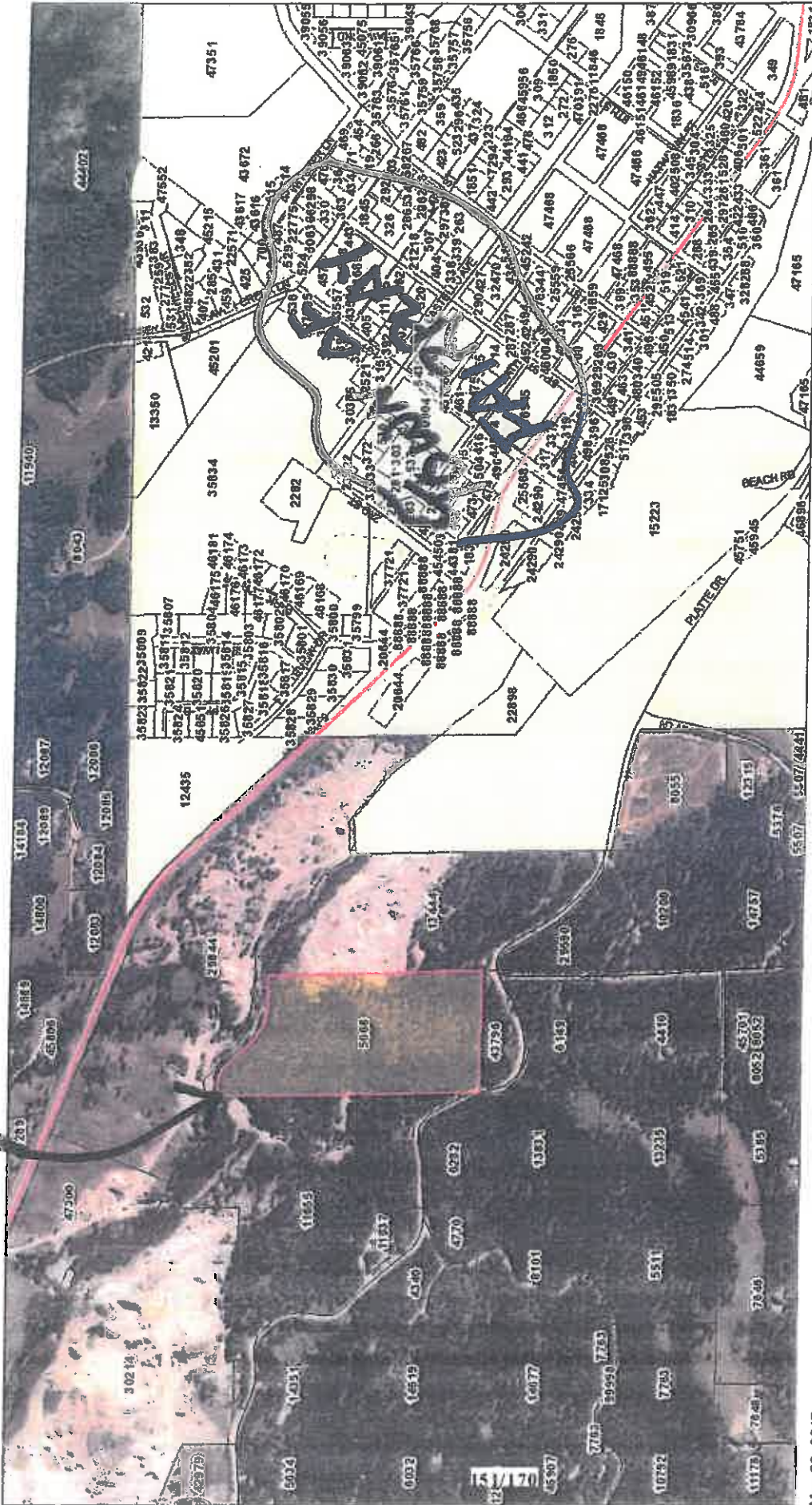
USFS Forest Service, Park County  
 Park County GIS, Nordina GIS  
 Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics,  
 CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User  
 Community

May 22, 2017

- TaxParcel
- COUNTIES
- PARK
- ALLEY
- COUNTY RD
- DRIVEWAY
- FOREST SERVICE RD
- LOCAL
- PRIVATE
- ST HWY
- TRAIL
- UNNAMED STREET
- US HWY
- USFS Park County Roads
- TownBoundaries
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

ParkCounty.DBO.Roads\_Update\_02072016

# SCHEDULE # 5068



May 22, 2017

- TAX PARCEL
- COUNTRIES
- PARK
- ALLEY

- COUNTY RD
- DRIVEWAY
- FOREST SERVICE RD
- LOCAL
- PRIVATE
- ST HWY

- TRAIL
- UNNAMED STREET
- US HWY
- USFS Park County Roads
- TownBoundaries
- World Imagery

- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

PartCounty.DBO.Roads\_Update\_02072016

USFS Forest Services, Park County  
 Park County GIS, Northstar GIS  
 Source: Esri, DigitalGlobe, GeoEye, Earthstar, GeoGraphics, IGNES/Airbase DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

# Park County Planning Department

P.O. Box 1598  
Fairplay, Colorado 80440

Phone: (719) 836-4254 • Fax: 719-836-4268 • E-mail address: [ideagan@parkco.us](mailto:ideagan@parkco.us)

## Referral Response

**Comment Deadline Date:** June 12<sup>th</sup>, 2017 **Submitted Date:** April 30<sup>th</sup>, 2017

**Case #:** 17ZON-04 **Case Name:** High-Speed Aggregate Rezoning

**Request:** Applicant is requesting to rezone roughly 28 acres from the Residential zone district to the Mining zone district.

**Location/Legal Description:** Part of the SE ¼ NE ¼ S32 and the SW ¼ NW ¼ S33 T9 R77 north of Platte Drive and addressed as 1215 Platte Drive, Fairplay.

**Date of Planning Commission Hearing:** Tuesday, June 13<sup>th</sup>, 2017

**Date of BOCC Hearing:** To be determined.

\_\_\_\_\_ We have reviewed this referral and find that it **does** comply with our Strategic Master Plan.

\_\_\_\_\_ We have reviewed this referral and find that it **does not** comply with our Strategic Master Plan 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  
REZONING  
NON-REFUNDABLE APPLICATION FEE: \$1700**

All applicants must submit one complete application and attend a pre-application conference with the Park County Planning Department Staff seven (7) to ten (10) working days prior to the application submittal deadline. Following the acceptance of the complete application the applicant must submit twenty (20) collated copies, or CD media as requested to the Park County Planning Department on or before the application submittal date.

If you have questions regarding this form please contact the Planning Department by phone at (719) 836-4254, or e-mail [pcpd@parkco.us](mailto: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: High Speed Aggregate, Inc.

Mailing Address: P.O. Box 1525

City: Fairplay State: CO Zip: 80440

Telephone

(work) 303-470-0055 (home) \_\_\_\_\_ (fax) \_\_\_\_\_

Owner's Name: High Speed Aggregate, Inc.

Mailing Address: 8480 East Orchard Rd, Suite 4900

Telephone No.: 303-470-0055

**B. PROPERTY INFORMATION**

Complete Legal Description of Property Proposed for the Rezoning (attach additional page, if necessary):

See Exhibit A

Street Address of Property: 1215 Platte Drive, Fairplay, CO 80440

Property's Total Acreage: 41.4 acres

Current Zone District of Property: Mining/Residential

Proposed Zone District of Property: Mining

For County Use Only Planning Department Confirmation of Current Zone District: District: <u>MINING AND RESIDENTIAL</u> <u>JOHN DEGAN</u> Print Full Name
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Requirements for a Rezoning  
Article V, Division 2, Section 5-201**

**C. APPLICATION REQUIREMENTS**

1. Application Fee. An application fee in the amount of \$1700.00 must be paid at the time of submission of the application. Make the check or money order 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. Proof of ownership in the form of a recorded Warranty Deed. This can be obtained at the Park County Clerk and Recorders office.
4. A legal description of the property proposed for the Rezoning prepared by a licensed Colorado land surveyor. (ON DEED)
5. A list of names and mailing addresses of all owners of adjacent property to the property, subject to the proposed amendment to the Official Zoning Map, this information is at Park County Assessor's Office.
6. A Vicinity Map of where the proposed property is located within Park County.
7. A map or other description of the property proposed to be subject of the Rezoning including the following information:
  - a. The current zone district(s) of the property proposed to be subject of the Rezoning and of the adjacent properties;
  - b. A map showing the boundaries of the property proposed to be subject of the Rezoning;
  - c. Description of the existing uses on the property and on adjacent properties.
8. A map or other description of the Current Conditions of the property proposed to be subject of the Rezoning including the following information:
  - a. Topography of the property subject to rezoning, shown in elevation contours of not greater than twenty (20) or forty (40) foot increments. Applicants are encouraged to use the USGS topographic mapping or other form of commercially produced topographic map;
  - b. Points of access to the property, internal roads and trails including widths, and approximate grades. The Current Conditions Map must illustrate how access is

For County Use Only: Initial Receipt of the Required Information
(1.) <u>JCD</u>
(2.) <u>JCD</u>
(3.) <u>JCD</u>
(4.) <u>JCD</u>
(5.) <u>JCD</u>
(6.) <u>JCD</u>
(7a.) <u>JCD</u>
(7b.) <u>JCD</u>
(7c.) <u>JCD</u>
(8a.) <u>JCD</u>

obtained from the property subject to rezoning to the nearest county road or highway;

- c. Where any access to the property subject to rezoning is obtained from a road, trail, easement, driveway, or other private access other than an adjacent County-owned highway, street or road, the applicant shall provide evidence of permanent legal right of access. Such evidence may include, but not be limited to, deed, easement agreement, or attorney opinion that a permanent legal right of access exists to the property;
- d. Natural features of the property subject to rezoning including, wetlands, floodplain, riparian areas, water bodies (e.g., lakes, ponds, streams, whether continuous or seasonal), rock outcroppings, significant vegetation, geological or other hazards, and slopes greater than twenty-five percent (25%);
- e. Utility systems including existing and proposed water wells, sewer systems, electric services, and natural gas.

9. Applicant must provide a Proposed Development Plan describing in mapped form and/or text the existing and proposed physical improvements of the property and the approximate locations of improvements.

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

***For properties currently within a Mining Zone District, the following additional materials must be included in a complete application:***

- 1. The building envelope must be at an elevation of not more than 11,500 feet.
- 2. The application must include a geo-technical report prepared by a qualified Geo-technical professional utilizing the information and guidelines contained in "Guidelines and Criteria for Identification of Land Use Controls of Geological Hazards and Mineral Resource Areas" Colorado Geological Survey Publication 6, or the updated version of this publication. The geo-technical report must be accompanied by a statement of the engineer's qualifications relative to geology, mine economics and geological hazards. At a minimum, this report must address the following information specific to the property in question, all of which shall be considered in evaluating the Rezoning application.
  - a. The presence and extent of any geological hazards, including but not limited to underground excavations on or adjacent to the subject property and the presence of radioactive or toxic materials and minerals.
  - b. The presence of surface and subsurface minerals, including but not limited to the types and amounts of minerals present and the viability of mineral extraction now and in the future.

For County  
Use  
Only:  
Initial Receipt of  
the Required  
Information

(8b.) JCD

(8c.) N/A

(8d.) JCD

(8e.) N/A

(9.) JCD

(10.) JCD

(1.) N/A

(2a.) N/A

(2b.) N/A

**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: [Signature]  
Print name: Lance J. Balk  
If company, state Title/Position: Secretary + VP High Speed Aggregate, Inc.

Owner: Signed: [Signature]  
Print name: Lance J. Balk  
If company, state Title/Position: Secretary + VP

**E. VERIFICATION OF DATE OF DELIVERY OF APPLICATION**

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

APRIL 30<sup>th</sup>, 2017  
Month Day Year

For County Use Only:  
Verification of Date of Delivery and  
County Receipt of Application  
Date: APRIL 30<sup>th</sup>, 2017  
Print Name: JOHN DEAGAN

Payment of the Applicant Fee was made by:

<u>X</u>	Personal Check # <u>1136</u>	Amount \$ <u>1,700</u>
_____	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 TUESDAY OF EVERY MONTH. IF A QUORUM IS NOT AVAILABLE, THE HEARING WILL BE SCHEDULED THE NEXT AVAILABLE DATE.**

<b>Account</b>	<b>As of Date</b>	<b>Parcel Number</b>	<b>Owner</b>
R005068	04/24/2017	5068	HIGH SPEED MINING LLC
<b>Legal:</b>	T09 R77 S32 NE4 NE4SE4NE4 AND THAT PART OF E2NE4NE4 LYING S OF CENTER LINE OF THE MIDDLE FORK OF THE SOUTH PLATTE RIVER 32-9- 77		

<b>Year</b>	<b>Tax</b>	<b>Total Due</b>
Total	\$0.00	\$0.00

---

<b>Account</b>	<b>As of Date</b>	<b>Parcel Number</b>	<b>Owner</b>
R043796	04/24/2017	43796	HIGH SPEED MINING LLC
<b>Legal:</b>	T09 R77 S32 NE4 PART OF SE4SE4NE4 PER SURVEY 545/51 32-9-77 AKA PARCEL B		

<b>Year</b>	<b>Tax</b>	<b>Total Due</b>
<b>Total</b>	\$0.00	\$0.00

---

<b>Account</b>	<b>As of Date</b>	<b>Parcel Number</b>	<b>Owner</b>
R013444	04/24/2017	13444	HIGH SPEED AGGREGATE INC
<b>Legal:</b>	T09 R77 S33 NW4 PART OF W2SW4NW4 SW4NW4NW4 LYING S OF PLATTE RIVER LESS 1.2 AC R.O.W. AND LESS 3.55AC SPLIT FROM 371/405 33-9-77 M1991037		

<b>Year</b>	<b>Tax</b>	<b>Total Due</b>
Total	\$0.00	\$0.00

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20170424 11:03:02 AM Park County Treasurer  
 159/170  
 HIGH SPEED AGGREGATE INC  
 T09 R77 S33 NW4 PART OF W2SW4NW4 SW4NW4NW4 LYING S OF  
 PLATTE RIVER LESS 1.2 AC R.O.W. AND LESS 3.55AC SPLIT FROM 371/405  
 33-9-77 M1991037  
 \$0.00  
 \$0.00

\*728159\*

728159  
1 of 2

9/6/2016 8:50 AM  
WD RS16.00 DS30.00

Debra A Green  
Park County Clerk

File No.: 16-014

WARRANTY DEED

STATE DOCUMENTARY FEE

DATE 9-6-2016

\$ 30.00

THIS DEED, made this 29th day of August, 2016, between

Mary Ellen Gilliland and Lawrence J. Gilliland

of the county of Summit, State of Colorado, grantor, and

High Speed Mining, LLC, a Colorado limited liability company

whose legal address is 8480 East Orchard Rd. Suite 3600, Greenwood Village, CO 80111, grantee:

WITNESSETH, That the grantor for and in consideration of the sum of \$300,000.00, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the county of PARK and State of Colorado described as follows:

A PARCEL OF LAND LOCATED IN SECTION 32, TOWNSHIP 9 SOUTH, RANGE 77 WEST OF THE 6TH PM DESCRIBED AS FOLLOWS:

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (NORTHEAST 1/4 SOUTHEAST 1/4 NORTHEAST 1/4) AND THAT PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (EAST 1/2 NORTHEAST 1/4 NORTHEAST 1/4) LYING SOUTH OF THE CENTER LINE OF THE MIDDLE FORK OF THE SOUTH PLATTE RIVER, COUNTY OF PARK, STATE OF COLORADO.

and

PARCEL "B"

A PARCEL OF LAND LYING WHOLLY WITHIN THE SE 1/4 SE 1/4 NE 1/4 OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 77 WEST OF THE 6TH PRINCIPAL MERIDIAN, PARK COUNTY, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHENCE THE SOUTHEAST CORNER OF SAID SE 1/4 SE 1/4 NE 1/4 BEARS SOUTH, 629.53 FEET DISTANT; THENCE S 64°43'03" W, A DISTANCE OF 341.37 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 229.08 FEET, ARC LENGTH OF 273.91 FEET, DELTA ANGLE OF 68°30'27", A CHORD BEARING OF N 61°01'42" W, AND A CHORD LENGTH OF 257.88 FEET; THENCE N 46°46'28" W, A DISTANCE OF 45.96 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 69.35 FEET, ARC LENGTH OF 56.63 FEET, DELTA ANGLE OF 46°46'59", A CHORD BEARING OF N 23°22'58" W, AND A CHORD LENGTH OF 55.07 FEET; THENCE N 00°00'31" E, A DISTANCE OF 67.02 FEET; THENCE S 88°34'58" E, A DISTANCE OF 618.93 FEET; THENCE SOUTH, A DISTANCE OF 28.16 FEET TO THE POINT OF BEGINNING.

as known by street and number as: Vacant land, Platt Drive, Fairplay, Colorado 80440

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain, and agree to and with the grantee, his heirs and assigns, that at the time of the executing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except

General taxes for the current year and subsequent years and subject to easements, restrictions, reservations, covenants and rights of way of record, if any.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

  
Mary Ellen Gilliland

  
Lawrence J. Gilliland



**\*728159\***

728159 9/6/2016 8:50 AM  
2 of 2 WD R\$16.00 D\$30.00

Debra A Green  
Park County Clerk

State of Colorado )  
County of Summit ) ss.

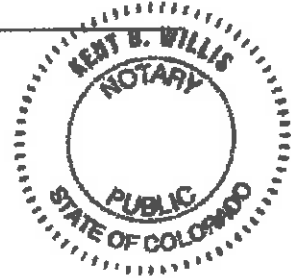
The foregoing instrument was acknowledged before me on this 29th day of August, 2016 by Mary Ellen Gilliland, and Lawrence J. Gilliland.

My Commission Expires:

*December 6, 2016*

*Kent B. Willis*  
\_\_\_\_\_  
Notary Public

[SEAL]



Return To:

**WARRANTY DEED**

**THIS DEED, Made this 09 day of December, 2013 between Robert L. Roberson Revocable Trust, a Colorado Trust of the County of \_\_\_\_\_, State of COLORADO, of the first part, and High Speed Aggregate, Inc., a Colorado Corporation a corporation duly organized and existing under and by virtue of the laws of the State of Colorado, of the second part, whose legal address is 8480 East Orchard Road, Suite 3600, Greenwood Village, CO 80111 of the County of \_\_\_\_\_, State of COLORADO, of the second part;**

**WITNESSETH, That the said party of the first part, for and in consideration of the sum of \_\_\_\_\_ : (\$495,000.00), to the said party of the first part, in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the said party of the second part, its successors and assigns forever, all the following described lot(s) or parcel(s) of land, situate, lying and being in the County of Park, and State of COLORADO, to wit:**

Township 9 South, Range 77 West of the 6th P.M., All those parts of the W 1/4 of the SW 1/4 of the NW 1/4 and of the SW 1/4 of the NW 1/4 of the NW 1/4 of Section 33 lying Southely of the center line of the Middle Fork of the South Platte River as it now crosses said Section 33, EXCEPT that portion conveyed in Deed recorded July 30, 1984 in Book 371 at Page 405,

County of Park, State of Colorado.

Doc Fee \$49.50

also known by street and number as 1215 Platte Drive, Fairplay, CO 80440

**TOGETHER with all and singular the hereditaments and appurtenances therunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.**

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto the said party of the second part, its successors and assigns forever. And the said party of the first part, for himself, his heirs, executors, and administrators, does covenant, grant, bargain and agree to and with the said party of the second part, its successors and assigns, that at the time of the executing and delivery of these presents, he is well seized of the premises above conveyed, as of a good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except all taxes and assessments for the current year, a lien but not yet due or payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Bayer in accordance with section 8.1 "Title Review", of the contract dated November 20, 2013 between the parties.

and the above-bargained premises in the quiet and peaceable possession of the said party of the second part, its successors and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, shall and will WARRANT AND FOREVER DEFEND.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

**IN WITNESS WHEREOF**, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of  
**SELLER:**

Robert L. Roberson Revocable Trust, a Colorado Trust

*Carolyn M. Benson*  
Carolyn Benson as Trustee

STATE OF COLORADO  
COUNTY OF Park

} ss:

The foregoing instrument was acknowledged before me this 09 day of December, 2013 by Carolyn M. Benson as Trustee of the Robert L. Roberson Revocable Trust, a Colorado Trust

*V. M. Dyer*  
Notary Public

Witness my hand and official seal.  
My Commission expires: 11-12-14.

VIRGINIA DYER  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY #10224014004  
MY COMMISSION EXPIRES NOVEMBER 12, 2014

Owners of Lots Adjacent to Tax Parcels 5069, 43796, and 13444, April 27<sup>th</sup> 2017

SULLIVAN JOHN R

850 N DAVIDSON ST

ELOY, AZ 85231

CRANMER SYLVIA S

218 JACKSON AVE

FORT COLLINS, CO 80521

SHAWE DANIEL R

1805 S BALSAM ST #230

LAKEWOOD, CO 80232

BURDETTE PHILIP GEORGE

PO BOX 155

ALMA, CO 80420-0155

GRCHAN JOHN P

2253 AUGUSTA CT

LOVELAND, CO 80537

TANKSLEY JACK

2798 UNAWEEP AVE

GRAND JUNCTION, CO 81503-2800

MADSEN JOHN I JR

PO BOX 761

FAIRPLAY, CO-80440-0761

HART MOUNTAIN INC

13900 W 44TH AVE #A

GOLDEN, CO 80403

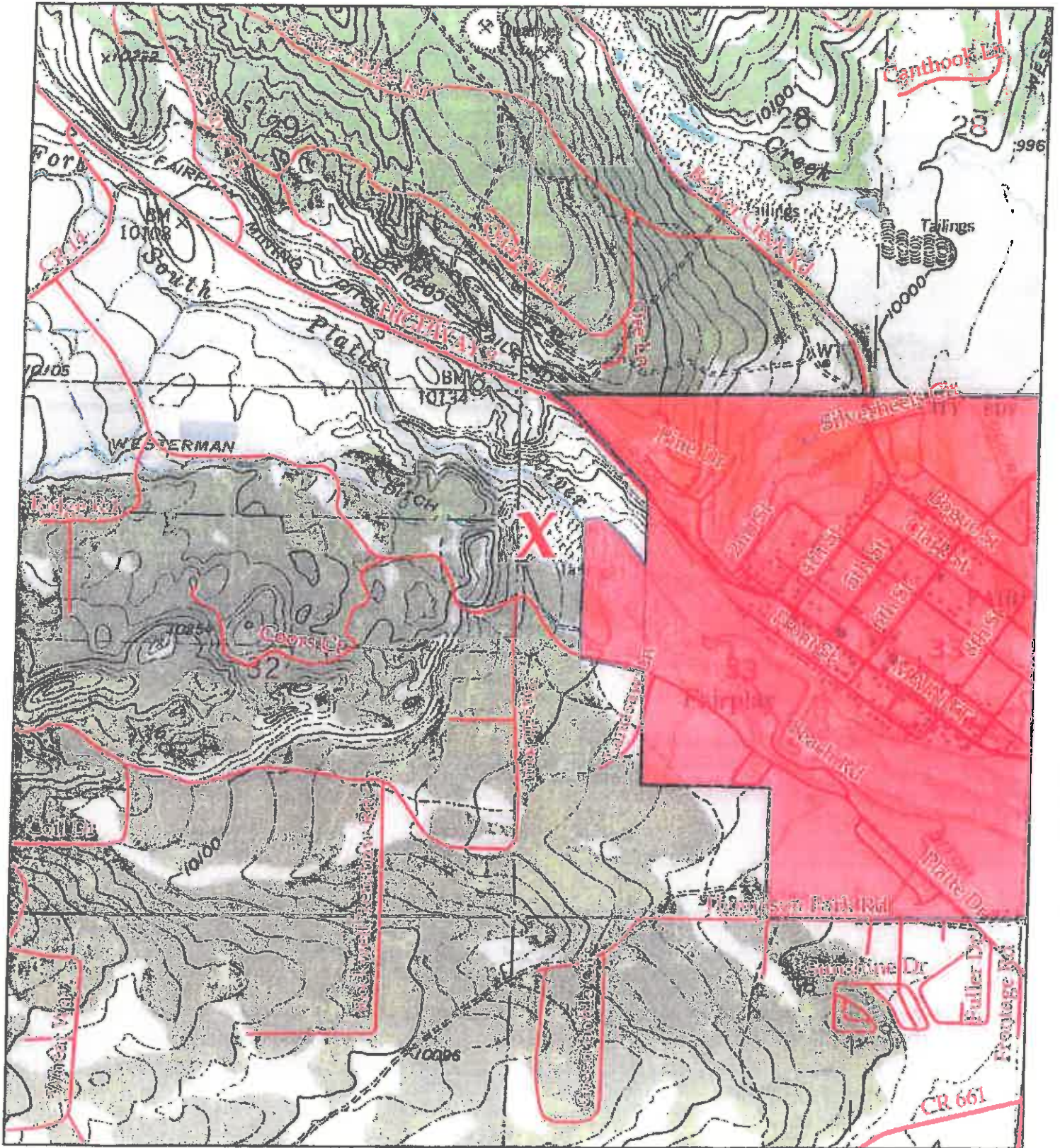
TOWN OF FAIRPLAY
PO BOX 267
FAIRPLAY, CO 80440-0267

ROCK N PINE LLC
C/O MARK BALDERSTON
PO BOX 1518
FAIRPLAY, CO 80440-1518



# Vicinity Map

Contour Interval is Twenty Feet

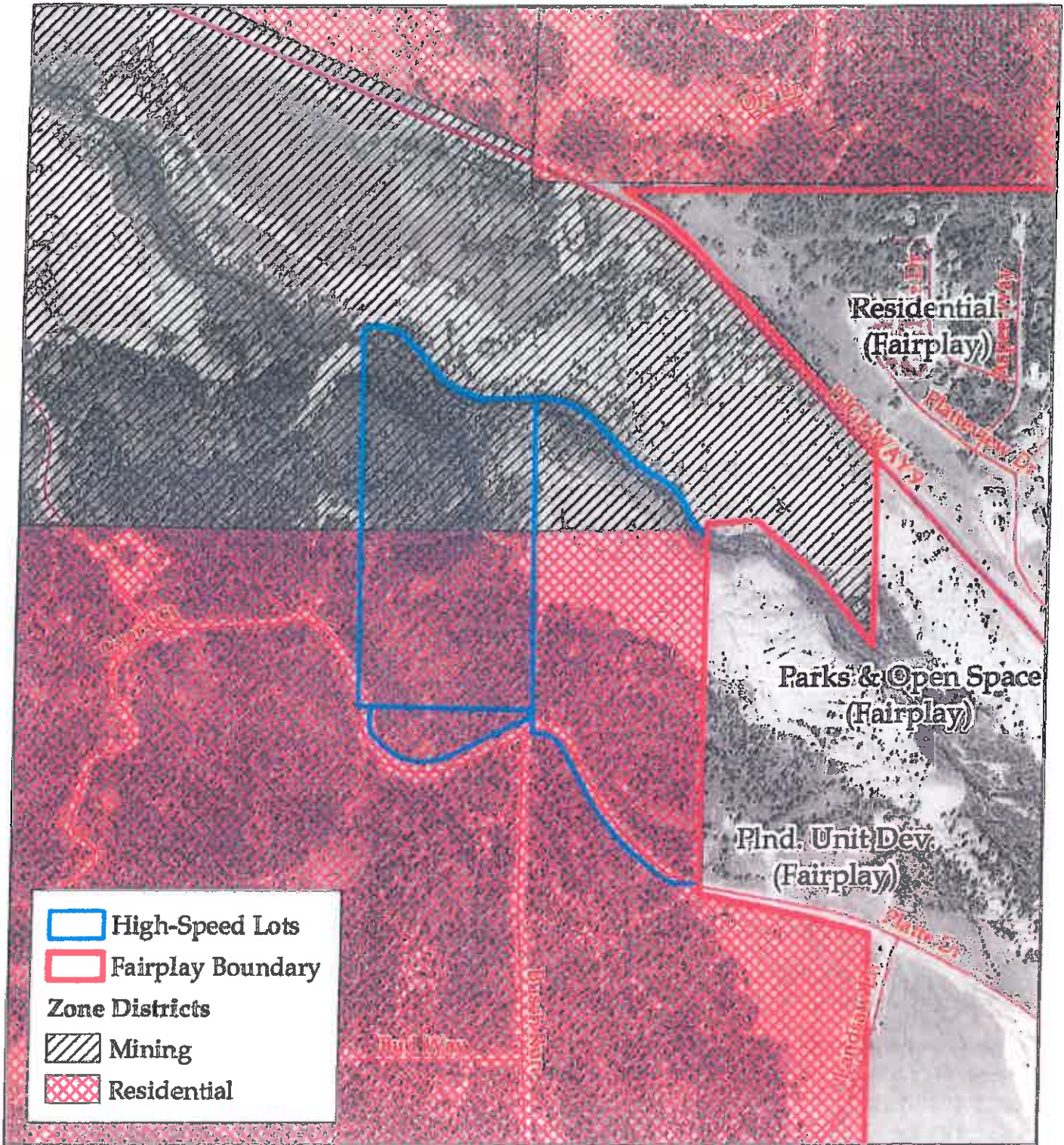


Park County Planning Department

*This map is not a survey.*  
166/170

# Zone Districts

*Aerially Photographed in 2013*

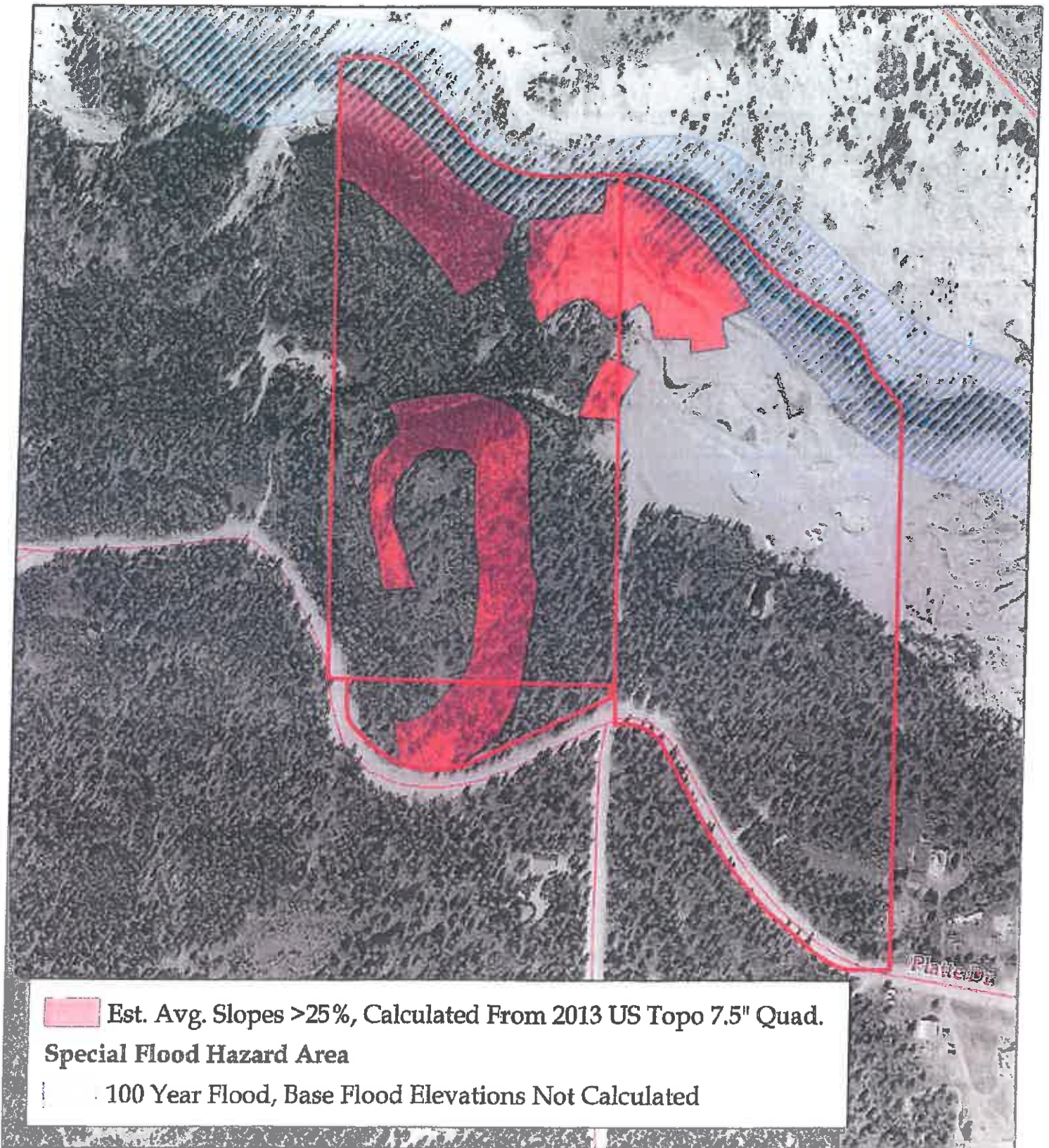


Park County Planning Department

*This map is not a survey.*

# Current Conditions - Natural Features

*Aerially Photographed in 2013*

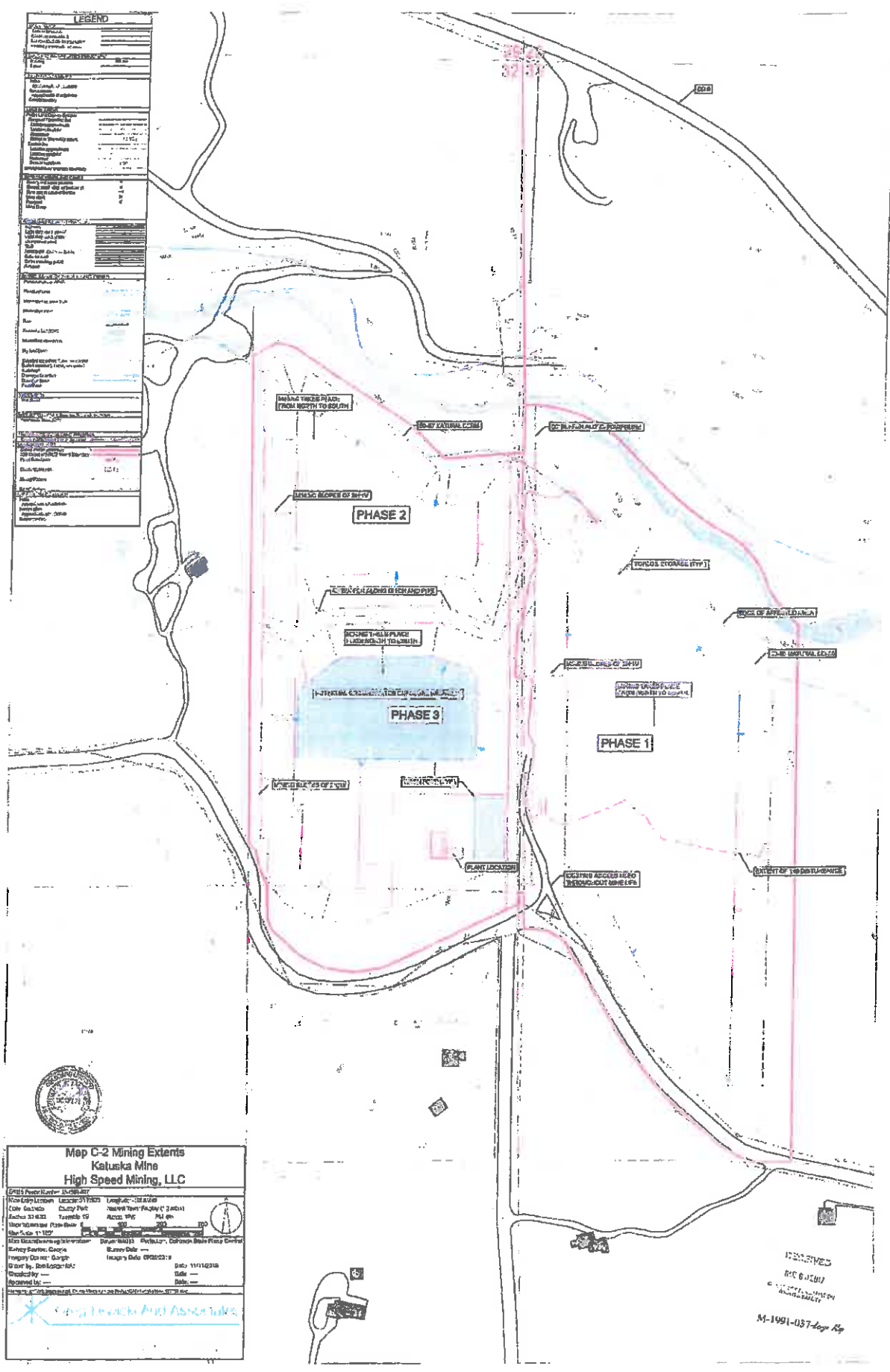


Park County Planning Department

*This map is not a survey.*



LEGEND	
Proposed Mining Extents	Blue Shaded Area
Proposed Infrastructure	Red and Green Lines
Existing Infrastructure	Black Lines
Topography	Brown Contours
Water Features	Blue Lines
Boundaries	Dashed Lines
Other Features	Various Symbols



Proposed Development Plan

**Map C-2 Mining Extents  
Katuska Mine  
High Speed Mining, LLC**

Scale: 1" = 100'

North Arrow

Project Information:

Map Scale: 1" = 100'

Map Date: 09/20/2018

Map By: [Name]

Checked By: [Name]

Approved By: [Name]

Map Scale: 1" = 100'

Map Date: 09/20/2018

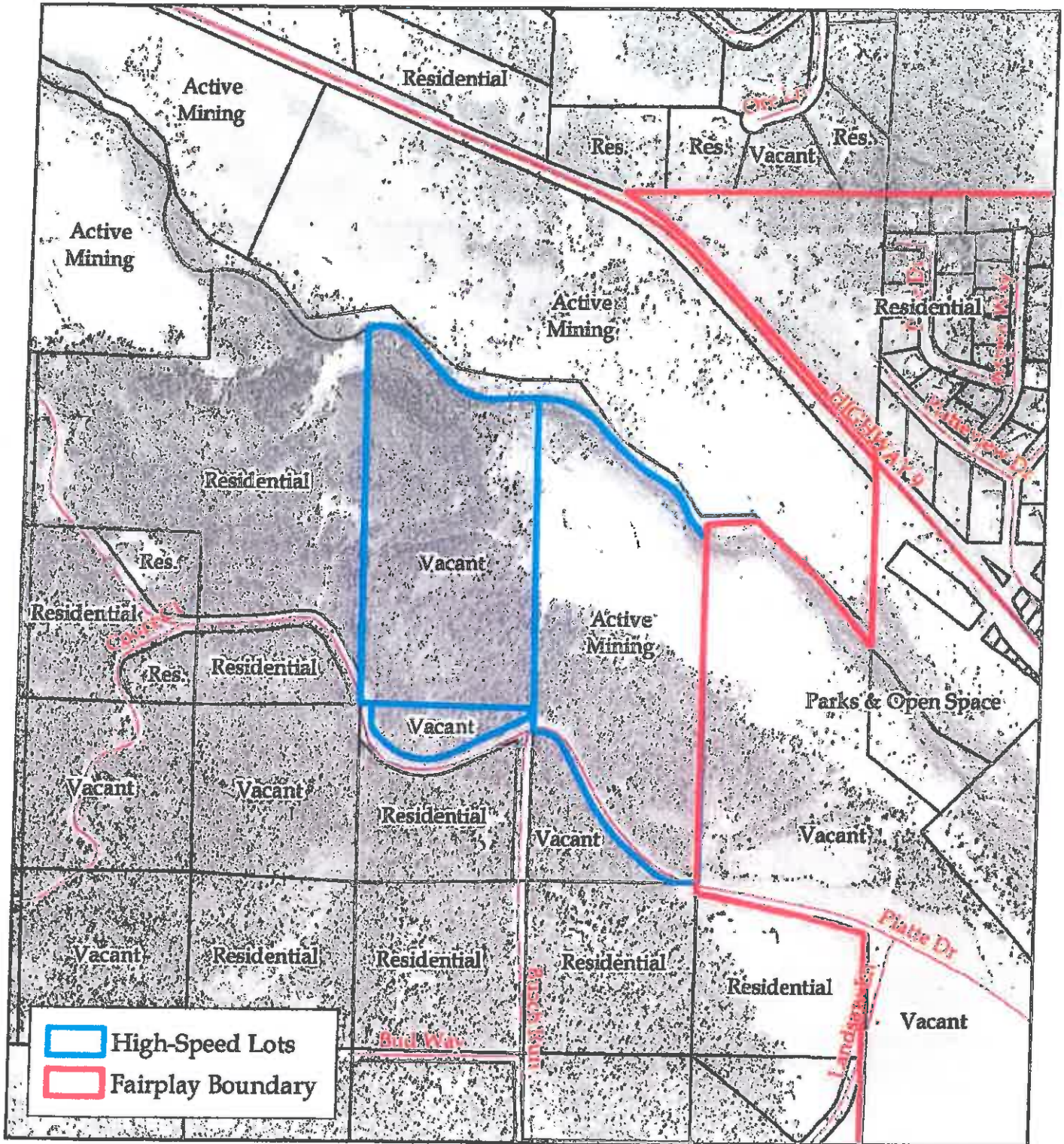
Map By: [Name]

Checked By: [Name]

Approved By: [Name]

# Land Uses

Aerially Photographed in 2013



Park County Planning Department

*This map is not a survey.*