



551 Hot Springs Boulevard  
Post Office Box 1859  
Pagosa Springs, CO 81147  
Phone: 970.264.4151  
Fax: 970.264.4634

**TOWN COUNCIL MEETING AGENDA  
TUESDAY, JANUARY 5, 2016  
Town Hall Council Chambers  
551 Hot Springs Blvd  
5:00 p.m.**

- I. CALL MEETING TO ORDER**
- II. PUBLIC COMMENT – *Please sign in to make public comment***
- III. CONSENT AGENDA**
  - 1. Approval of the December 17, 2015 Meeting Minutes**
  - 2. Wal-Mart Exterior Lighting Appeals Hearing Extension Request**
- IV. NEW BUSINESS**
  - 1. Resolution 2016-01, A Policy to Enhance the Town’s Financial Stability**
  - 2. Resolution 2016-02, Setting 2016 Fee Schedule**
  - 3. Ordinance 836, First Reading, Schedule Time, Date, Location and Place of Posting of Regular Town Council Meetings**
  - 4. Seeds of Learning Funding Request**
  - 5. Pawnbrokers Ordinance Revision**
  - 6. Appointment to Southwest Basin Roundtable**
  - 7. Mountain Crossing Preliminary Plan Extension Application**
- V. PUBLIC COMMENT – *Please sign in to make public comment***
- VI. COUNCIL IDEAS AND COMMENTS**
- VII. NEXT TOWN COUNCIL MEETING JANUARY 21, 2016 AT 5:00PM**
- VIII. ADJOURNMENT**

**Don Volger  
Mayor**



# AGENDA DOCUMENTATION

## CONSENT AGENDA: III.2

PAGOSA SPRINGS TOWN COUNCIL

JANUARY 05, 2016

FROM: GREG SCHULTE, TOWN MANAGER

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**PROJECT: 90 DAY EXTENSION FOR CONDUCTING APPEALS HEARING FOR THE WAL-MART REAL ESTATE BUSINESS TRUST'S NOTICE OF APPEAL**

**ACTION: DISCUSSION AND POSSIBLE ACTION**

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### PURPOSE

This matter is for the consideration of extending the Wal-Mart appeals hearing for an additional 90 days, from no later than January 26<sup>th</sup> to no later than April 21<sup>st</sup>.

LUDC section 2.4.13 reviews the appeals processes, and LUDC section 2.4.13.G.4.a, reviews the period of time an appeals hearing shall be conducted.

LUDC section 2.4.13.G.4.a: *"The Director shall schedule a public hearing on the appeal no later than sixty (60) days after the date the appeal was filed with the Town Clerk. The appeal hearing may be extended up to ninety (90) days after the filing of the appeal if agreed to by both the Director and the appellant."*

Both parties of interest, Wal-Mart and the Planning Director, previously agreed to extend from the 60 day period to the 90 day period. Additionally, both parties of interest, Wal-Mart and the Planning Director, agreed to the previous 90 day extension and agreed to this current request to extend for an additional 90 days. The previous 90 day extension period sets an appeals hearing on or before January 26<sup>th</sup>, unless extended by Town Council.

### BACKGROUND

On July 30, 2015, Wal-Mart Real Estate Business Trust had submitted a notice of Appeal, requesting an Appeals Hearing regarding the Planning Directors determination that the Wal-Mart store parking lot lights are in violation of the Town's Exterior Lighting regulations, LUDC section 6.11.

On October 22, 2015, Town Council consented to allow Wal-Mart to extend their Appeals Hearing for 90 days, no later than January 26<sup>th</sup> unless an additional extension is approved, while they are working on a shielding solution for the parking lot lights. Wal-Mart has stated that they are still working with their lighting manufacturer to design and manufacture a shield that will render their exterior parking lot lights in compliance with the Town lighting code. This additional 90 day extension will defer the appeals hearing until no later than April 21, 2016.

### ANALYSIS

On August 28, 2015, the Planning Director, James Dickhoff and the Town Attorney, Bob Cole met with the Wal-Mart design team and their attorney, to discuss solutions to the identified exterior lighting violation. A proposed process of developing and approving light modifications, was agreed to by all parties. Wal-Mart appears to be working on a solution, though no documentation has been submitted as of October 13, 2015, for the Town's Planning Directors review.

The Planning Director has reason to believe Wal-Mart is working on a solution to the identified violation, thus, supports a 90 day extension for the appeals hearing. Wal-Mart also supports the 90 day extension as they are working on a solution that may take a few months for the design, approval and installation process.

**RECOMMENDATION**

Staff recommends the TC provide consider the 90 day extension, and either:

- 1) **APPROVE a 90 Day Extension for Conducting an Appeals Hearing based in the Notice of Appeal submitted by Wal-Mart Real Estate Business Trust, Setting the Hearing Date for No Later than April 21, 2016, Unless an Additional Extension is Approved.**
- 2) DENY a 90 Day Extension for the Appeals Hearing for the Wal-Mart Real Estate Business Trust notice of appeal.



# AGENDA DOCUMENTATION

## NEW BUSINESS: IV.1

PAGOSA SPRINGS TOWN COUNCIL

JANUARY 5, 2016

FROM: GREGORY J. SCHULTE, TOWN MANAGER

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**PROJECT: RESOLUTION 2016-01, A POLICY TO ENHANCE THE TOWN'S FINANCIAL STABILITY**

**ACTION: DISCUSSION AND POSSIBLE ACTION**

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### BACKGROUND / PURPOSE

Beginning in 2009 the Town implemented a system of monitoring the Town's revenues on a monthly basis and reporting fluctuations from prior year's revenues to the Town Council. It is Town staff recommendation that this policy continue to be in place for 2016. Major tenets of the policy include:

1. Budget sales tax revenue for 2015 at \$3,791,242. This budgeted amount shall be split equally between the General Fund (\$1,895,621) and Capital Fund (\$1,895,621);
2. Monitor the Town's revenues on a monthly basis and report fluctuations from prior months and prior year revenues to the Town Council.

An example of how the implementation of Resolution 2016-01 will work: Whenever the percentage of sales tax revenues collected falls more than five percent (5%) below the average revenues collected for the same period in the preceding two fiscal years and the percentage of sales tax revenues collected in the previous month (or previous two months) falls five percent (5%) below the average revenues collected for the same periods in the preceding two fiscal years, the Town manager shall implement an seven percent (7%) reduction in sales tax related expenditures. Utilizing this method, the Town will not delay its response to changes in the revenue stream.

### ATTACHMENT:

Resolution 2016-01

### FISCAL IMPACT

There is no direct fiscal impact from adopting this Resolution. Adopting the Resolution reduces the chances of the Town experiencing negative cash flows due to strict monitoring and resulting actions in the event of a consistent decrease in sales tax revenues.

### APPLICABILITY TO TOWN OF PAGOSA SPRINGS HOME RULE CHARTER

Section 3.9 of the Home Rule Charter specifies the Town Council's authority and responsibility to anticipate revenues [Section 3.9(A)2] and adopt a balanced annual budget [Section 3.9(B)].

### RECOMMENDATION

The following recommendations are offered for Town Council consideration:

1. "APPROVE RESOLUTION 2016-01: A POLICY TO ENHANCE THE TOWN'S FINANCIAL STABILITY."

2. "DENY RESOLUTION 2016-01: A POLICY TO ENHANCE THE TOWN'S FINANCIAL STABILITY."

3. DIRECT STAFF.



**TOWN OF PAGOSA SPRINGS, COLORADO TOWN COUNCIL**

**RESOLUTION NO. 2016-01**

**A POLICY TO ENHANCE THE TOWN'S FINANCIAL STABILITY**

**WHEREAS**, while the Town of Pagosa Springs' local economy has improved noticeably over the past 2 years, there is always uncertainty regarding the impact of national economic volatility and how that can have a negative impact on the local economy; and

**WHEREAS**, the budget for the Town is very dependent on sales tax and sales tax can be a volatile revenue source; and

**WHEREAS**, the Town of Pagosa Springs is committed to provide an excellent return on the taxes its citizens invest in their government; and

**WHEREAS**, the Town's response to an economic downturn should be directly proportional to the reduction in revenue and the impact of the downturn on the Town's financial condition; and

**WHEREAS**, in the advent of revenue reductions, expenditure reductions should be consistent with the relative value of specific programs and services provided to the community.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, as follows:**

The Town Manager is instructed to:

1. Budget sales tax revenue for 2016 at a level 7% higher than 2015 actual sales tax revenue. This budgeted amount shall be split equally between the General Fund and Capital Fund;
2. Maintain approximately 3 months of operating expenses in each Fund.
3. Continue Town Council budget actions of assigning up to 3.25% of the general fund taxes and contracts estimated revenues to service organizations.
4. Monitor the Town's revenues on an monthly basis and report fluctuations from prior months and prior year revenues to the Town Council;
5. Implement a financial stability plan, reducing Town expenditures within one month of the advent of lower sales tax revenue over two consecutive months (or,

two of three consecutive months) as compared to the averaged sales tax revenue levels of the 2 most immediate fiscal years. The action plan will be implemented as follows:

- a. To smooth out the impact of significant swings in sales tax collections, implement a monthly analysis that averages several months/years of revenue.
- b. Whenever the percentage of sales tax revenues collected falls more than five percent (5%) below the average revenues collected for the same period in the preceding two fiscal years **and** the percentage of sales tax revenues collected in the previous month (or previous two months) falls five percent (5%) below the average revenues collected for the same periods in the preceding two fiscal years, the Town manager shall implement an seven percent (7%) reduction in sales tax related expenditures.

Implementation shall include apprising department heads of the shortfall and working with department heads to conduct a review of all budgeted programs and services and categorize each into the following levels of service: 1) Essential Services; 2) Highly Desirable Services; and 3) Non-Essential Services. The Town Manager shall initiate budget cuts or expenditure freezes eliminating Non-Essential Services based on their priority ranking. The Town Manager shall review of departmental staffing patterns with primary focus directed toward reducing or eliminating part-time and temporary employment expenses. The Town Manager will determine which position will be filled on a case by case basis.

- c. Whenever the percentage of sales tax revenues collected in the current month falls ten percent (10%) below the average revenues collected for the same period in the preceding two fiscal years **and** the percentage of sales tax revenues collected in the previous month (or previous two months) falls ten percent (10%) below the average revenues collected for the same periods in the preceding two fiscal years, the Town Manager shall implement a twelve percent (12%) reduction in sales tax related expenditures.

Implementation shall include apprising department heads of the shortfall and working with department heads to prioritize the Highly Desirable Services (personnel, commodities and contractual) based on their benefit to town residents. The town manager shall initiate budget cuts or expenditure freezes eliminating certain Highly Desirable Services based on their priority ranking. A review of departmental staffing patterns with primary focus directed toward workers in lower priority ranked services. With the exception of Essential Services, the town manager will implement a hiring freeze. These actions will be done in consultation with the Town Council.

- d. Whenever the percentage of sales tax revenues collected in the current month falls fifteen percent (15%) below the average revenues collected for the same period in the preceding two fiscal years **and** the percentage of sales tax revenues collected in the previous month (or previous two months) falls fifteen percent (15%) below the average revenues collected for the same periods in the preceding two fiscal years, the Town Manager shall implement a seventeen percent (17%) reduction in sales tax related expenditures.

Implementation shall include apprising department heads of the shortfall and the town manager and department heads will implement a full hiring freeze. Town resources and departmental staffing patterns shall be focused on highest priority elements of the Highly Desirable Services and Essential Services. These actions will be done in consultation with the Town Council.

6. If this policy results in a reduction in expenditures and subsequently the Town's sales tax revenues reflect recovery and/or growth over a two month period, the town manager shall sequentially reverse the reductions and return to the Council approved budgeted expenditures.

ADOPTED by a vote of \_\_\_ in favor and \_\_\_ against, this 5<sup>th</sup> day of January, 2016.

TOWN OF PAGOSA SPRINGS

By: \_\_\_\_\_  
Don Volger, Mayor

ATTEST:

By: \_\_\_\_\_  
April Hessman, Town Clerk



# AGENDA DOCUMENTATION

## NEW BUSINESS:IV.2

PAGOSA SPRINGS TOWN COUNCIL

JANUARY 5, 2016

FROM: GREGORY J SCHULTE, TOWN MANAGER

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**PROJECT: RESOLUTION 2016-02, SETTING 2016 FEE SCHEDULE**

**ACTION: PUBLIC COMMENT, REVIEW AND POSSIBLE ACTION**

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### PURPOSE/BACKGROUND

The Town Council establishes rules and regulations for operations of the Town and provides for the establishment of fees for various Town services fees. Resolution 2016-02 sets out all town fees for the Town Council's review and annual approval.

Changes to the fee schedule include:

1. Deletion of Large Retail Development permit. This entire LUDC section was deleted prior to the Walmart application.
2. Increase of the Design Review (Major) from \$200 to \$300 due to the time required to review and prepare staff reports for the design review board.
3. Deletion of the \$10-\$50 deposit required for temporary signs, this has never been an issue.
4. Reduction of the Jury Fee for Criminal Matters from \$90 to \$25, based on Judge Anderson's new order.

### ATTACHMENT(S)

Resolution 2016-02

### RECOMMENDATION

It is the recommendation of the Town Manager that the Town Council, by motion,

**Approve Resolution 2016-02, Setting Town Fees for Town Services for 2016**



**TOWN OF PAGOSA SPRINGS, COLORADO**

**RESOLUTION 2016-02**

**A RESOLUTION ADOPTING 2016 FEE SCHEDULE FOR THE TOWN OF  
PAGOSA SPRINGS, COLORADO**

**WHEREAS**, the Pagosa Springs Municipal Code establishes rules and regulations for operations of the Town and provides for the establishment of fees for various Town services;

**WHEREAS**, the Pagosa Springs Council wishes to adopt the Fee Schedules attached hereto as the official fee schedules for the operations of the Town of Pagosa Springs and the various chapters of the Pagosa Springs Municipal Code that address such operations;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF  
PAGOSA SPRINGS, COLORADO THAT:**

**SECTION 1 – Fee Schedule.** The Pagosa Springs Town Council incorporates the foregoing recitals as its conclusions, facts, determinations, and findings. The Town Council hereby approves the Fee Schedules for operations of the Town of Pagosa Springs.

**SECTION 2 – Severability.** If any part or provision of this Resolution is judged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Council's intention that the various provisions hereof are severable.

**SECTION 3 – Conflicting Acts.** All acts, orders, and resolutions, or parts thereof, of the Council, which are inconsistent or in conflict with this Resolution, are hereby repealed to the extent only of such inconsistency or conflict. All fees shall become effective on January 1, 2016, including any reservations taken in 2015 for 2016 events

**SECTION 4 – Effective Date.** This Resolution, shall be effective immediately upon its passage, and shall be recorded in the official records of the Town kept for that purpose and shall be authenticated by the signatures of the Mayor and the Town Clerk. A copy of the Fee Schedules will be available for inspection by the public at Town Hall during normal business hours.

ADOPTED THIS 5<sup>TH</sup> DAY OF JANUARY 2016, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, BY A VOTE OF \_\_\_\_\_ IN FAVOR, \_\_\_\_\_ AGAINST.

By: \_\_\_\_\_  
Don Volger, Mayor

ATTEST:

\_\_\_\_\_  
April Hessman, Town Clerk

## PAGOSA SPRINGS MUNICIPAL CODE PER DIEM AND FEE SCHEDULE

Adopted on January 5, 2016

Type of Fee	Code Section	Description	Amount	Last Date Adopted
<b>PARK &amp; RECREATION FACILITIES USE FEES</b>				
Application Fee		One change permitted	\$25.00	
Special Event Rental		Rate per park	\$100/day	
Private Party Rental		Rate per park	\$25/day	
Reservoir Hill Meadow Rental	14.2.4	0-50 People	\$150	
		51-100 People	\$200	
		101-150 People	\$250	
		*151+ People	\$500	
		Weddings	\$500	
Damage Deposit	14.2.4	0-50 People	\$100	
		51-100 People	\$200	
		101-150 People	\$300	
		*151+ People	\$500	
		Weddings on Reservoir Hill	\$500	
<i>*151+ People may require a special use permit and negotiated fees w/deposit</i>				
<b>Other Rentals and Fees</b>				
Cleaning			\$30/cleaning	
Trash Pick up and Removal			\$30/hour	
Rut Removal		Ruts left in park by cars, etc.	\$75/hour	
General Labor			\$25/hour	
Safety Vest			\$3 each	
Safety Cones			\$2.50 each	
Free Standing Traffic Signs			\$16 each	
Barricade Delivery and Pick up			\$50/day	
Field Prep and Line			\$50	
Electricity Usage Fee		All Parks	\$35/day	
Late Tear Down Fee		Equipment left in park 24 hrs after tear down date	\$100/day	
<i>All fees are forfeited if a cancellation occurs with less than 2 weeks notice. Application fees are non-refundable.</i>				
<b>GEOHERMAL SYSTEM FEES</b>				
System Use Rates	19.1.3		Flat Rate based on average use	2014
<b>LAND USE FEES</b>				
Road Cut Permit	6.6.3	Asphalt	\$50 + \$1,000 Bond	
		Gravel	\$50 + \$500 Bond	
		Road Bore	\$25 + \$500 Bond	
Land Use Decision Appeal	2.4.13	X	\$100	
Planned Development (PD) Overlay Application	2.4.2(D)	PD Overlay	\$1,000	
Zoning Map Amendments	2.4.2	General Re-Zoning	\$250	
Minor Subdivision/Plat Amendment	2.4.3(B)	X	\$500	
Major Subdivision, Sketch Plan	2.4.3(C)(3)	Sketch Plan	\$500	
Major Subdivision, Preliminary Plan	2.4.3(C)(4)	Preliminary Plan	\$500 + \$100 per lot/unit	
Major Subdivision Sketch/Preliminary Plan Extension		Extension	\$300	
Major Subdivision, Final Plan	2.4.3(C)(6)	Final Plan	\$500 + \$100 per lot/unit	
Vacation of Right of Way or Public Easements	2.4.3(D)	X	\$250	
Condominium Subdivision/Conversion	2.4.3E	X	\$500	
Conditional Use Permits	2.4.4	X	\$100	
Design Review (Administrative)	2.4.6	X	\$50	
Design Review (Major)	2.4.6	X	\$300	
Redevelopment Permit	2.4.7	X	\$500	
Flood Plain Development Permit	2.4.8	X	n/a	
Sign Permit Application/Comp Sign Program	2.4.9	X	\$25 per sign/\$75 CSP	
Temporary Use Permit Application	2.1.10	X	\$50 per month base plus 5 cents per sq ft of floor area	
Variance	2.4.11	Any Type	\$300	
Minor Modification	2.4.12	X	\$25	
Comprehensive Plan Amendments	2.4.15	X	\$100	
Open Space/Land Dedication In-Lieu Fee		X	n/a	
<b>SIGN PERMIT FEES</b>				
Permanent Sign Permit Application	2.4.9		\$25	
Sign Permit Alteration	2.4.9		\$25	
Hot Springs Blvd Banner Application	2.4.9	4'x20' / 4'x40'	\$50/\$100	
Sign Permit With Comprehensive Sign Program	2.4.9		\$75	

Type of Fee	Code Section	Description	Amount	
<b>IMPACT FEES</b>				
Road Impact Fee	8.1	Lodging	\$1,887 per 1,000 sq ft	2013
		Retail	\$4,336 per 1,000 sq ft	
		Office/Industrial	\$1,694 per 1,000 sq ft	
		Single-Family Res	\$975 per dwelling unit	
		Multi-Family Res	\$702 per dwelling unit	
Regional Public Building Impact Fee	8.1	All Residential	\$127 per dwelling unit	
		Non Residential	\$159 per 1,000 sq ft	
Regional Recreation Facilities Impact Fee	8.1	All Residential	\$863 per dwelling unit	
Park Impact Fee	8.1	All Residential	\$368 per dwelling unit	
Trail Impact Fee	8.1	All Residential	\$652 per dwelling unit	
Emergency Service Provider Impact Fee	8.1	All Residential	\$574 per dwelling unit	
		Non-Residential	\$741 per 1,000 sq ft	
Water Storage Impact Fee	8.1	All Residential	n/a	
	8.1	Non Residential	n/a	
School Fees in Lieu of Public Land Dedication	8.12	All Residential	\$283 per dwelling unit	
<b>ANNEXATION FEES</b>				
Annexation Administration Fees	11.1	0-5 Acres	\$250	
	11.1	5-30 Acres	\$500	
	11.1	30 or more Acres	\$1,000	
<b>BUSINESS REGULATION FEES</b>				
Business License Application Fee	6.1.9(1)		Waived (\$25)	
Class 1 Business License Fee	6.1.9(1)	0-10 Employees	\$25	2006
Class 2 Business License Fee	6.1.9(1)	11-20 Employees	\$40	
Class 3 Business License Fee	6.1.9(1)	21+ Employees	\$50	
Class 4 Business License Fee	6.1.9(1)	Seasonal Business	\$20	
Pawnbroker License Fee	6.2.4		\$100	
Special Event Vendor License Fee	6.3.3		\$25	
Class A Contractor's License Fee	6.4.6(2)	Construction, alteration, or repair of any type of permitted structure	\$150	
Class B Contractor's License Fee	6.4.6(2)	Construction, alteration, or repair of single or two-family residences of 2 stories or less	\$100	
Class C Contractor's License Fee	6.4.6(2)	Contracting for labor or for labor and material involving specialized trades	\$50	
<b>BUILDING DEPARTMENT FEES</b>				
Building Permit and Inspection Fees	108.2 International Building Code 2006	All construction requiring permit	Based on project valuation & table 1-A Uniform Building Code 1997	
Commercial Plan Review Fee	108.2 International Building Code 2006	All projects submitted under the IBC 2006	50% of building permit fee per table 1-A UBC 1997	
Mechanical Permit and Inspection Fees	106.5.2 International Mechanical Code 2006	Mechanical work requiring permit not included in a building permit	Table 1-A Uniform Mechanical Code 1997	
<b>CLERK FEES</b>				
Photocopies	C.R.S. 24-72-205	Standard page	0.25	2014
Photocopies - not standard size	C.R.S. 24-72-205	not standard size	actual cost	
Fax Copies	C.R.S. 24-72-205		1.25	
Duplication of Audio Tapes	C.R.S. 24-72-205		\$30	
Verbatim Transcripts of Proceedings	C.R.S. 24-72-205			
Non-refundable Deposit (payable in advance)			\$125	
Transcription			actual cost	
Certification			\$40	
Documentation Certification	C.R.S. 24-72-205		\$2	
Document Notarization	C.R.S. 24-72-205		\$2	
Research and Retrieval, Manipulation of Data, Creation of a Privilege Log	C.R.S. 24-72-205	Time for actual time spent, in excess of one hour	\$30	
Transmission Costs	C.R.S. 24-72-205		actual cost	
Cemetery Plot		Hilltop Cemetery	\$200	
Non-Sufficient Funds/Check Return			\$0	
Credit Card Transaction Fee			\$0	

Type of Fee	Code Section	Description	Amount	
<b>LIQUOR PERMIT FEES</b>				
			Local Fee	2010
Application for New License	C.R.S. 12-47-505		\$775	
Application for New License w/ Concurrent Review	C.R.S. 12-47-505		\$800	
Application for Transfer of Ownership	C.R.S. 12-47-505		\$650	
<b>Annual Fee for License Type</b>				
Art License	C.R.S. 12-47-505		\$41.25	2010
Beer & Wine License	C.R.S. 12-47-505		\$48.75	
Brew-Pub License	C.R.S. 12-47-505		\$75.00	
Hotel & Restaurant License	C.R.S. 12-47-505		\$75.00	
Liquor Licensed Drugstore	C.R.S. 12-47-505		\$22.50	
Optional Premise License	C.R.S. 12-47-505		\$75.00	
Resort Complex License	C.R.S. 12-47-505		\$75.00	
Retail Liquor Store License	C.R.S. 12-47-505		\$22.50	
Tavern License	C.R.S. 12-47-505		\$75.00	
<b>Related Fees and Permits</b>				
Annual Renewal Application	C.R.S. 12-47-505		\$75.00	2010
Art Gallery Application	C.R.S. 12-47-505		\$100.00	
Art Gallery Permit	C.R.S. 12-47-505		\$3.75	
Bed & Breakfast Permit	C.R.S. 12-47-505		\$25.00	
Change of Location Fee	C.R.S. 12-47-505		\$750.00	
Corporate/LLC Change	C.R.S. 12-47-505	Per person	\$100.00	
Hotel/Tavern Manager's Registration	C.R.S. 12-47-505		\$75.00	
Late Renewal Application Fee	C.R.S. 12-47-505		\$500.00	
Mini Bar Permit w/ Hotel/Restaurant License	C.R.S. 12-47-505		\$325.00	
Special Events Permit	C.R.S. 12-47-505	Per event	\$100.00	
Temporary Permit	C.R.S. 12-47-505	Good for 90 days	\$100.00	
Retail 3.2% Beer Off Premises	C.R.S. 12-47-505		\$3.75	
<b>POLICE DEPARTMENT FEES</b>				
Vehicle Identification Number Verification	Resolution 2009-03		\$10	
Fingerprinting	Resolution 2009-03		\$5/card	
Accident Reports	Resolution 2009-03	Up to 5 pages	\$2.50	
		\$.25 per page over 5		
Official Action/Criminal Justice Reports	Resolution 2009-03	Up to 5 pages	\$5	
		\$.25 per page over 5		
Digital Recordings			\$15/CD	
Sex Offender Registration (Initial)	15.7.6	Initial	\$25	Res 2011-07
Sex Offender Re-Registration	15.7.6	Annually or Quarterly	\$20	Res 2011-07
<b>MUNICIPAL COURT FEES</b>				
Plaintiff, Petitioner, Administrative Hearings	Judicial Order 2014-1		\$179.00	
Intervenor	Judicial Order 2014-1	adds new party	\$178.00	
Defendant, Respondent	Judicial Order 2014-1	Answers only	\$126.00	
Third Party Plaintiff	Judicial Order 2014-1		\$178.00	
Defendant, Respondent Filing a Cross or Counter Claim or both and an Answer Fee Previously Paid	Judicial Order 2014-1		\$178.00	
Defendant Filing an answer and a Cross or Counter Claim or both	Judicial Order 2014-1		\$301.00	
Defendant Filing an Answer and Also Filing Third Party Complaint but not Filing Cross or Counter Claim	Judicial Order 2014-1		\$301.00	
Defendant Filing an answer and a Cross or Counter Claim and a Third Party Complaint	Judicial Order 2014-1		\$479.00	
Rule 69 Docket Fee; Judgment Creditor	Judicial Order 2014-1		\$56.00	
Foreign Judgment	Judicial Order 2014-1		\$133.00	
Defendant's Motion to Dismiss for Failure to File Complaint	Judicial Order 2014-1		\$44.00	
Appellant	Judicial Order 2014-1		\$130.00	
Appellee	Judicial Order 2014-1		\$126.00	
Appeal from County or Municipal Court of Record	Judicial Order 2014-1		\$56.00	
Petition to Seal Criminal Record	Judicial Order 2014-1		\$179.00	
Petition to Seal Criminal Conviction	Judicial Order 2014-1		\$179.00	
Jury Demand Fee	Judicial Order 2014-1		\$152.00	

Type of Fee	Code Section	Description	Amount	
Additional Fee Against Judgment Debtors **Over \$5,000, not more than \$10,000 **Over \$10,000, not more than \$20,000 **Over \$20,000, not more than \$30,000 **Over \$30,000, not more than \$50,000  **Over \$50,000	Judicial Order 2014-1		\$8.00 \$24.00 \$40.00 \$72.00 \$72.00 + \$1.00 for each \$1,000 over \$50,000	
Court Costs	Judicial Order 2014-2		\$35.00	
Probation Fee	Judicial Order 2014-2		\$85.00	
Community Service Fee	Judicial Order 2014-2		\$50.00	
Drug Testing Fee	Judicial Order 2014-2		\$25.00 per test	
Warrant Fee	Judicial Order 2014-2		\$50.00	
Financial Affidavit Fee	Judicial Order 2014-2		\$40.00	
Jury Fee for Criminal Matters	Judicial Order 2014-2		\$25.00	
Juror Fee	Judicial Order 2014-2		\$15.00	
Witness Fee	Judicial Order 2014-2		\$5.00	
Mileage Rate	Judicial Order 2014-2		\$0.56	
Issuing and Docketing an Execution	Judicial Order 2014-2		\$40.00	
Certificate of Dismissal or No Suit Pending	Judicial Order 2014-2		\$10.00	
Certificate of Satisfaction of Judgment	Judicial Order 2014-2		\$10.00	
Certifying a Copy of any Record, Proceeding, or Paper on File	Judicial Order 2014-2		\$10.00	
Preparing and Issuing Transcript of Judgment	Judicial Order 2014-2		\$20.00	
Certificate of Exemplification of any Record, Proceeding, or Paper on File	Judicial Order 2014-2		\$10.00	
Writ of Garnishment	Judicial Order 2014-2		\$40.00	
Writ of Attachment	Judicial Order 2014-2		\$60.00	
Returned Check 'Insufficient Funds'	Judicial Order 2014-2		\$40.00	
Transcription Deposit	Judicial Order 2014-2		\$25.00	
Transcription Fee	Judicial Order 2014-2		\$2.35 per page	
Jail Costs	Judicial Order 2014-2		\$55.00 per day	
Copy Fee	Judicial Order 2014-2	Single sided	\$ .50 per page	
	Judicial Order 2014-2	Double sided	\$1.00 per page	
Fax Fee	Judicial Order 2014-2		\$ .50 per page	
Scanning Fee	Judicial Order 2014-2		\$ .50 per page	
Forms	Judicial Order 2014-2	Single sided	\$ .50 per page	
	Judicial Order 2014-2	Double sided	\$1.00 per page	
CD Transcript Duplication	Judicial Order 2014-2		\$35.00	
Court-Sponsored Drug & Alcohol Education	Judicial Order 2014-2		\$80.00 per 8 hour session	
<b>ROSS ARAGON COMMUNITY CENTER FEES</b>				
<b>Room Rental Fees</b>				
Multi-Purpose Room		<b>Capacity</b>		
	Non-Profit/Govt.	450 (300 chairs)	\$50/hr \$500/day flat	
	Private	450 (300 chairs)	\$60/hr \$600/day flat	
Lobby (included in Multi-purpose room rental)				
	Non-Profit/Govt.	50	\$5	
	Private	50	\$8	
South Conference Room				
	Non-Profit/Govt.	80	\$20	
	Private	80	\$25	
West Conference Room				
	Non-Profit/Govt.	65	\$15	
	Private	65	\$20	
East Conference Room				
	Non-Profit/Govt.	20	\$6	
	Private	20	\$8	
East Tile Room				
	Non-Profit/Govt.	40	\$10	
	Private	40	\$23	
North Conference Room				
	Non-Profit/Govt.	72	\$25	
	Private	72	\$30	
Warming Kitchen				
	Non-Profit/Govt.	10	\$13	
	Private	10	Free with MPR Rental	

Type of Fee	Code Section	Description	Amount	
<b>Other Fees</b>				
Set-Up Multi-purpose Room			\$150	
Set-Up Other Rooms			\$25	
Take-Down Multi-purpose Room			\$150	
Take-Down Other Rooms			\$25	
Clean-Up Multi-purpose Room			\$300	
Clean-Up Additional Rooms			\$15/room	
Clean-Up South Conference Room			\$25	
Clean-Up West Conference Room				
Clean-Up East Conference Room			\$25	
Clean-Up East Tile Room			\$25	
Clean-Up North Conference Room			\$50	
Clean-Up Entire Building			\$400	
<b>Refundable Damage Deposit</b>				
Multi-Purpose Room			\$1,000	
All Other Rooms			\$100	
<b>Audio, Visual, Telecommunications</b>				
Overhead Projector		5,000 Lumens-Ceiling Mount	\$50	
Projector Screen		Extra Large - Wall Mount	\$15	
PA System		w/ hand held & lapel wireless	\$45	
Projector and Screen			\$50	
TV/VCR/DVD/Stand			\$10	
<b>Meeting Accessories</b>				
Easel			\$5	
Speaker Telephone			\$5	
<b>Décor, Props and Accessories</b>				
Tinsel Chandelier		8 available	\$15 each	
Sequin Chandelier		4 available	\$15 each	
Ceiling Canopy		Wine or silver	\$200	
Mirror Ball and Lights			\$30	
DJ lighting		stands w/4 colored or white light	\$25	
Lattice		White 4'x7'	\$2 each	
Table Number Holders			\$.25 each	
Crowd control stanchion poles		black	\$3 each	
Candle Holder -glass- square cube			\$1.50 each	
Candle Holder- glass votive			\$1.25 each	
Candle Holder - crystal- round			\$1.25 each	
Mirrors - Square		square 1'x1'	\$1.50 each	
Wood Blocks		Black 4"	\$.25 each	
Wood Blocks		Black 6"	\$.25 each	
Wood Blocks		Black 8"	\$.25 each	
<b>Beverage and Food</b>				
Beverage Dispenser -Glass- w/spout		2 gallon	\$10	
Beverage Dispenser- Plastic- w/spout		3 gallon	\$5	
Beverage Holder- w/rollers		110 can capacity	\$5	
Beverage Tub		Hammered Silver -6"x9" Oval	\$2	
Ice Chest		Large 110 can capacity	\$3	
Ice Chest		Small 12 can capacity	\$2	
Chafing Dish - Stainless Steel		Round 6 quart	\$5	
Chafing Dish- Stainless Steel		Rectangle 8 quart	\$10	
Chafer Fuel Sterno			\$3	
Coffee Pot		12 cup capacity	\$5	
Coffee Urn		60 cup capacity	\$10	
Portable Bar			\$30	
<b>Linen Options</b>				
Banquet Tablecloths			\$12	
Round Tablecloths		120"	\$15	
Rectangle Tablecloths			\$4	
Overlays			\$4	
Runners			\$2	
Chair Covers			\$2	
Chair Sashes			\$1	
<b>Tables and Chairs</b>				
Round-Folding Leg- Plastic		Seats 8-10	\$5	
Rectangle-Folding Leg-Plastic		Seats 6-8	\$5	
Banquet Tables			\$5	
High Top Bar Tables			\$5	
Cushioned Folding Chairs		Black w/ black vinyl seat	\$1	
Bar Stools		7 available	\$2	
Bench w/Back		Wood, brown	\$5	

Type of Fee	Code Section	Description	Amount	
<b>Stage</b>				
Stage section		4'x8'	\$20	
Full stage package with 2 sets of stairs		288 square foot	\$150	
<b>Dance Floor</b>				
Full Dance Floor		80 sections 720 square foot	\$150	
Dance Floor Sections		3'x3'	\$2	
<b>MARIJUANA LICENSE FEES</b>				
			Local Fee	
Application Fee for New Retail License	Resolution 2015-14		\$0	Aug. 20, 2015
Application Fee for Medical License			\$0	Res 2015-14
Application Fee for Transfer of Retail Ownership			\$0	
Application Fee for Transfer of Medical Ownership			\$0	
<b>Annual Fee for License Type</b>				
Retail License Fee	Resolution 2015-14		\$3,000.00	Aug. 20, 2015
Medical License Fee			\$3,000.00	Res 2015-14
Retail Annual License Renewal Fee			\$2,000.00	
Medical Annual License Renewal Fee			\$2,000.00	
Retail Location Transfer Fee			\$3,000.00	
Medical Location Transfer Fee			\$3,000.00	
Retail Modification of Premises Fee			\$0.00	
Medical Modification of Premises Fee			\$0.00	
Retail Ownership Transfer Fee			\$0.00	
Medical Ownership Transfer Fee			\$0.00	
Retail Corporation Change in Structure Fee			\$0.00	
Medical Corporation Change in Structure Fee			\$0.00	
Retail / Medical Late Renewal Fee			\$500.00	
Background Check Fees			\$500.00	
Conditional Use Permit Fee			\$200.00	



# AGENDA DOCUMENTATION

## **NEW BUSINESS: IV.3**

PAGOSA SPRINGS TOWN COUNCIL

JANUARY 5, 2016

**FROM: GREGORY J. SCHULTE, TOWN MANAGER**

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**PROJECT: ORDINANCE 836 (FIRST READING), SCHEDULING A TIME, DATE AND PLACE FOR REGULAR TOWN COUNCIL MEETINGS**

**ACTION: PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION**

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### **PURPOSE/BACKGROUND**

Section 3.1 of the Town Charter requires the Town Council to hold regular meetings at least once a month and that the schedule for those meetings are made by ordinance, setting a time, date and place for the regular meetings. This ordinance sets regular meeting for the first Tuesday and third Thursday of each month at 5:00pm. It also sets the location of Town Hall where the agenda will be posted.

Similar to 2015, Ordinance 836 includes additional posting in places such as the Town's website but that the additional posting is not required. Staff has been very diligent in posting on the Town's website, bulk email, and now posting on the Town's Facebook account in order to reach the public in accordance with the Town Council's goals for improved communication and encourage public engagement.

### **ATTACHMENT(S):**

Ordinance 836

### **FISCAL IMPACT**

There is no direct fiscal impact associated with the approval of this Ordinance.

### **ACTIONS**

It is the recommendation of the Town Manager that the Town Council discuss and by motion,

**Approve Ordinance 836, first reading, Identifying Town Council Regular Meeting Dates, Locations, Times and Agenda Posting Requirements**

**TOWN OF PAGOSA SPRINGS, COLORADO  
ORDINANCE NO. 836  
(2016 SERIES)**

**AN ORDINANCE IDENTIFYING TOWN COUNCIL REGULAR  
MEETING DATES, LOCATIONS, TIMES AND AGENDA POSTING  
REQUIREMENTS**

WHEREAS, in accordance with Section 3.1 of the Pagosa Springs Home Rule Charter, the Town Council is required to establish dates, locations, times and agenda posting requirements;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO as follows:

**Regular meetings of the Town Council of the Town of Pagosa Springs, Archuleta County, Colorado will be held at Town Hall located at 551 Hot Springs Boulevard, Pagosa Springs, Colorado. Meetings will be held on the first Tuesday of each month at 5:00 p.m. and the third Thursday of each month at 5:00 p.m., at which time the Council will conduct regular meeting business for the Town and any other matters of business that may come before the Council. The meetings are open to the public. The meeting agendas will be posted in Town Hall 24 hours before such meetings. Additional posting may be made in alternative locations, such as the Town website, but such additional posting is not required.**

This Ordinance shall be effective immediately upon its final passage at second reading, and shall be recorded in the official records of the Town and kept for that purpose and shall be authenticated by the signatures of the Mayor and Town Clerk. Copies of all of the provisions of the Ordinance shall be available for public use in the office of the Town Clerk.

INTRODUCED, READ, AND ORDERED PUBLISHED PURSUANT TO SECTION 3.9, B) OF THE PAGOSA SPRINGS HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE 5<sup>TH</sup> DAY OF JANUARY, 2016.

ATTEST:

\_\_\_\_\_  
Don Volger, Mayor

\_\_\_\_\_  
April Hessman, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED AND ORDERED PUBLISHED PURSUANT TO SECTION 3.9, D) OF THE PAGOSA SPRINGS HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY

MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF  
PAGOSA SPRINGS, ON THE 21<sup>ST</sup> DAY OF JANUARY, 2016.

ATTEST:

\_\_\_\_\_  
Don Volger, Mayor

\_\_\_\_\_  
April Hessman, Town Clerk

**CERTIFICATE OF PUBLICATION**

I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 836 (Series 2016) was approved by the Town Council of the Town of Pagosa Springs on first reading at its regular meeting held on the 5<sup>th</sup> day of January, 2016, and was published by title only, including any penalties for violating the ordinance, and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on \_\_\_\_\_, 2016, which date was at least ten (10) days prior to the date of Town Council consideration on second reading.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this \_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
April Hessman, Town Clerk

(S E A L)

I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 836 (Series 2016) was approved by the Town Council of the Town of Pagosa Springs on second reading, at its regular meeting held on the 21<sup>st</sup> day of January, 2016, and was published by title only, along with a statement indicating the effective date of the Ordinance and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on \_\_\_\_\_, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this \_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
April Hessman, Town Clerk

(S E A L)



# AGENDA DOCUMENTATION

## **NEW BUSINESS:IV.4**

PAGOSA SPRINGS TOWN COUNCIL

JANUARY 5, 2016

**FROM: GREGORY J. SCHULTE, TOWN MANAGER**

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**PROJECT: REQUEST FOR FUNDING FROM SEEDS OF LEARNING**

**ACTION: DISCUSSION AND POSSIBLE ACTION**

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### **PURPOSE / BACKGROUND**

As part of the review for the Service Organizations portion of the 2016 Budget, Seeds of Learning submitted an application for \$10,000 for the breakfast/hot lunch/snack program it provides for the participants in their program. The hot lunches provided encourages the children to eat a variety of food that are prepared in the food pyramid. Children who eat healthy foods will be more likely to make better food and nutrition choices as adults and studies have shown that well-nourished children learn better than under nourished children. According to Seeds information, approximately 81% of their families are low to low-moderate income according to HUD standards.

The Seeds application is attached as Exhibit A.

At the November 19, 2015, Town Council decided to allocate funding in the amount of \$50,000 for Early Childhood / Attainable Housing Council Initiatives in the Economic Development Section of the 2016 Budget. The premise for the funding was for opportunities or requests for funding that would further the Council's goal of promoting early childhood development.

### **ATTACHMENTS**

- Exhibit A: Seeds of Learning Service Organization Funding Application

### **FISCAL IMPACT**

Of the \$50,000 budgeted for 2016, the Council has already allocated \$10,000 towards a matching grant from the El Pomar Foundation to fund an Early Childhood Coordinator, leaving \$40,000 unspoken for.

### **2016 TOWN COUNCIL GOALS & OBJECTIVES**

Included in the Town Council's adopted 2016 Goals & Objectives is Goal #3 of "Promoting a Vital Local Economy by Supporting Economic Development and Tourism." Within that Goal is Objective 3.3 of "Energize General Economic Development Efforts' with a specific Task of "Encourage Community-Wide Early Childhood Care." This proposed project directly promotes those goals and objectives.

### **RECOMMENDATIONS**

Possible actions by the Town Council include:

1. **"Move to authorize \$\_\_\_\_\_ for Seeds of Learning for their breakfast/hot lunch/snack program for 2016 to be paid from the Early Childhood / Attainable Housing Council Initiatives line item of the Economic Development section of the 2016 Budget.**

2. **“Move to NOT authorize funding for the Seeds of Learning for their breakfast/hot lunch/snack program.”**
3. **Direct staff otherwise.**



# Seeds of Learning

Early Care and Education Center

575 S. 7th Street • P.O. Box 5831  
Pagosa Springs, CO 81147  
970-264-5513 • Fax: 970-264-2022  
seedsoflearning@growingseeds.org  
www.growingseeds.org

Town of Pagosa Springs  
551 Hot Springs Blvd.  
P.O. Box 1859  
Pagosa Springs, CO 81147  
Attn: April Hessman

September 14, 2015

Dear April,

Attached is the grant application for Seeds of Learning Early Care and Education Center. Thank you so much for the opportunity to submit this proposal.

We are seeking funds in the amount of \$10,000 for the breakfast/hot lunch/snack program. Seeds of Learning continues to offer healthy food choices to all children enrolled and educate parents about nutrition so they can offer healthy choices as well. Nutrition plays an important role in a child's physical and mental growth, as well as their future health. When children are cared for in *safe* and *healthy* environments they can grow and flourish. Nutrition plays a critical part in being healthy. With our children growing up in a fast-food society, Seeds strives to educate children (and their parents) about the importance of good nutrition. Modeling appropriate food choices is one of the best ways to encourage children and their families to eat properly. The hot lunches provided encourages children to eat a variety of food that are represented in the food pyramid. Children who eat healthy foods will be more likely to make better food and nutrition choices as adults. Approximately 81% of our families are low to low-moderate income according the HUD guidelines so healthy food choices and parent education is very important to our families and students.

I appreciate the Town Council's consideration of this request.

If you have any questions please don't hesitate to contact me at 970-264-5513 or visit our website at [www.growingseeds.org](http://www.growingseeds.org). I look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script that reads "Lynne L. Bridges".

Lynne L. Bridges, Executive Director

**TOWN OF PAGOSA SPRINGS  
2016 REQUEST FOR CONTRIBUTION**

Application must be completed in full in order to be considered.  
Application deadline is 5:00pm on September 28, 2015. Please submit one original to:

Town of Pagosa Springs  
551 Hot Springs Blvd.  
PO Box 1859  
Pagosa Springs, CO 81147  
Attn: April Hessman  
Phone 970-264-4151 ext 237  
Email ahessman@pagosasprings.co.gov

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**Part 1: Applicant Information**

Name of Applicant Organization: Seeds of Learning

Name of Umbrella Organization (if applicable): \_\_\_\_\_

Applicant Contact Person: Lynne L. Bridges

Phone: 970-264-5513 Fax: 970-264-2022 E-Mail Address: seedsoflearning@growingseeds.org

Mailing Address: P.O. Box 5831 City: Pagosa Springs

State: Colorado Zip: 81147 Non-profit Tax ID Number (if applicable): 84-1450521

List Board of Directors: see attached roster

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How many years has your organization been in existence? 17 years

**Part 2: Contribution Request**

**Cash Request: \$ 10,000.00**

**Town of Pagosa Springs Funding Priorities:**

- 1. Nonprofits with verification of status from the State of Colorado.**
- 2. Organizations that address a unique community need.**
- 3. Organizations that serve a broad spectrum of the community.**

Please respond to the following in no more than three double sided pages. Follow the format, number system, and heading as presented in the Contribution Requests. Make sure you include the number and heading for the information requested so reviewing board members can readily find the various categories as presented in the Contribution Request.

**Check each line to confirm you have included the appropriate information and submit with your Contribution Request.**

1. Include: A.  Mission Statement: Seeds of Learning empowers and inspires a diverse population of young children, nurturing lifelong learning as they become successful adults.

B.  Goals and Objectives:

Seeds of Learning works with parents, members of the community and social agencies to:

1. Meet social, emotional, physical and cognitive needs of children 18 months through 5 years of age.
2. Surround each child with a positive environment full of love and appropriate learning opportunities while allowing children to grow in their own unique way by supporting development of self-awareness and self-confidence.
3. Nurture trust through consistency and security (secure attachment)
4. Expand the knowledge base of early childhood development in Archuleta County so parents and early care and education providers have the best possible skills to positively impact the growth and development of the children in our community.
5. Maintain a minimum of 51% of enrollment for at-risk and/or low income families.
6. Continue implementing Creative Curriculum/Teaching Strategies Gold to ensure high quality standards are followed in both the toddler room and all three preschool rooms.
7. Continue offering the Incredible Years Parenting class and Dinosaur school.
8. Maintain low or no staff turnover.
9. Maintain NAEYC accreditation status.

2. State precisely: A.  Purpose of requested funds

To subsidize the breakfast, hot lunch and afternoon snack financial expense for all three preschool classrooms and 1 toddler room. Nutrition is very important to brain development as well as physical development. For some children enrolled at Seeds; it may be the only nutritional meal they get in their entire day. Seeds spends well over \$10,000 on food items for all the classrooms.

B.  Geographical location of where funds will be expended

Seeds of Learning serves all of (100%) Archuleta County and the Town of Pagosa Springs.

C.  Why it is critical you receive this funding?

Seeds of Learning serves over 80% low income children and families. Tuition is charged according to a sliding scale (determined by HUD guidelines for Archuleta County). Therefore, over 80% of our families pay approximately half of the actual cost of being enrolled as a student at Seeds of Learning. The center relies on individual donation, grants and fundraising to offset the cost of reduced tuition to parents.

3. How will funding of your organization's activities meet the Town Council's funding priorities (from page 1)?

Seeds of Learning is a stand-alone non-profit early care and education center that serves low to low-moderate income families of Archuleta County. The most recent census indicates that over 600 children need some form of early care and/or education. Currently, there are approximately 200 licensed slots available to families in Archuleta County. Seeds of Learning offers 50 of those slots daily and is meeting a need for low income families as well as contributing to strengthening economic development in our county.

4. What other sources of funding do you have? Seeds of Learning receives funding from tuition, grants,

individual donations and fundraising efforts.

5. What other sources of funding are you seeking?

Seeds of Learning continually applies for grants, meets with potential donors and local governmental entities. Seeds continues to host an annual fundraising event that generates approximately \$20,000 annually. Parents host two fundraisers a year as well that contributes over \$5000 to the general operating budget.

6. How will you evaluate the success of your organization or program?

Seeds of Learning will continue to follow all standards required to maintain NAEYC accreditation status. (Less than 10% of America's early care and education centers are accredited) The center will continue to evaluate all classrooms using the Environmental Rating Scale, Creative Curriculum, Teaching Strategies Gold and Incredible Years assessment tools. All evaluation results are shared with the Seeds of Learning Board of Directors, the Colorado Preschool Program Council, the Archuleta Children's Team (ACT) Council, individual donors, grantors, parents/families enrolled at the center as well as the general public. All staff members are evaluated annually and results are reported to the Board of Directors.

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**Part 3: Financial Information**

Submit the following financial statements for your organization:

Profit & Loss Statement (budget vs. actual)

Current year to date

Previous completed fiscal year

Balance Sheets (summary)

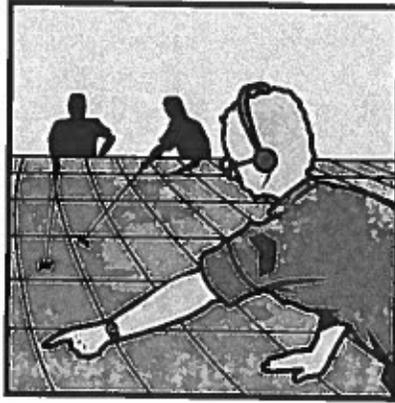
Current year to date

Previous completed fiscal year

3-5 year plan (if available)

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Approved: January 20, 2015



## STRATEGIC PLAN

January 2015 – December 2017

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## **What is Strategic Planning?**

Strategic planning involves all areas of the organization – finances, facilities, public relations, program, personnel and board.

Strategic planning is the responsibility of the Board of Officers and Directors as well as the Executive Director and Program Director. For each area of the organization, the lead responsible party/parties (board or staff) are identified and recorded in the Strategic Plan.

Strategic planning is done in conjunction with the annual budgeting and development planning process. The Board Development Director in conjunction with the Executive Director is primarily responsible for annually initiating the development planning process. Initial planning begins in the fall with the budget planning process (Board Treasurer with the Executive Director). The final budget for the upcoming year is approved at the November board meeting. The proposed Strategic Plan and draft Development Plan are presented for review at the November board meeting. The final approval and adoption will take place at the January annual meeting, when board officers and directors are elected.

Strategic planning goals are typically determined for a three to five year period and reviewed annually. As part of the annual review process, specific strategies and projects, timelines and benchmarks, as well as financial implications, roles and responsibilities are determined.

# Plan

## Preface:

### Who Are We?

Seeds of Learning is a stand-alone, not for profit, NAEYC accredited early care and education center, located in Pagosa Springs, Colorado. We serve preschool and toddler-aged children. As a community based facility, we encompass parenting classes, educational opportunities for our families and other early childhood professionals, and participate in community outreach projects.

### Mission

Seeds of Learning empowers and inspires a diverse population of young children, nurturing lifelong learning as they become successful adults.

### Vision

The vision at Seeds of Learning is to work in partnership with families and our community to provide a developmentally appropriate environment that promotes the growth of the “whole child” and instills a love of learning for diverse young scholars.

### Philosophy

Warm, supportive and respectful relationships between adults and children lie at the heart of excellent care and education for children. It is our aspiration to work closely with parents to meet the social, emotional, physical and cognitive needs of each child, thereby instilling a love of learning, secure attachment, self-awareness and self-confidence. We also partner with families so they feel respected, supported and nurtured in their parenting and child rearing efforts. We acknowledge the fact that children, families and staff exist within an environment of individual cultures which are overlapping, differ greatly, and deserve tremendous respect.

Authentic and reciprocal relationships with the children, their families and staff are at the heart of our relationship-based educational programs at Seeds of Learning. We believe early care and education centers can and must be a place where children, families and staff alike can feel a sense of belonging.

The Seeds of Learning philosophy encompasses high quality early care and education which includes the Incredible Years Dinosaur School, Creative Curriculum / Teaching Strategies Gold curricula offered to all children, the Incredible Years Parenting class. We encourage participation from our entire Seeds family.

To implement the Vision and Mission using the Philosophy above, Seeds staff and directors

- **Will continue to:** use the following published instruments in our quest to offer the highest quality ECE possible:
  - ***Creative Curriculum / Teaching Strategies Gold*** - Chosen for Seeds because it is based on the latest research on how children learn best and has been shown through experimental and quasi experimental studies to improve classroom quality and promote the school readiness of preschool children. *Creative Curriculum / Teaching Strategies Gold* meets all of the standards put forth for effective early childhood curricula by the National Association for the Education of Young Children. Equally important, evaluation research provides evidence that the *Creative Curriculum / Teaching Strategies Gold for Preschool* improves classroom quality and promotes positive physical, social and cognitive outcomes for children.
  - ***The Environmental Rating Scales*** - Designed to assess process quality in an early childhood group. Process quality consists of the various interactions that go on in a classroom between staff and children, staff and parents, among the children themselves, as well as the interactions children have with the many materials and activities in the environment.
  - ***The Incredible Years*** - Award-winning parent training, teacher training, and child social skills training approaches have been selected by the U.S. Office of Juvenile Justice and Delinquency Prevention as an "exemplary" best practice program and as a "Blueprints" program. The Incredible Years Dinosaur School used in the preschool classrooms promotes social, emotional, and academic competence in children as well as increases children's social skills, children's understanding of feelings and children's conflict management skills.

Children experience growth and learning in their social-emotional, physical, language and cognitive development as a result of observations and assessments taken through these programs. Families are included and supported as they participate in their child's learning experience at Seeds of Learning.

- ***NAEYC and Accreditation*** - Ten standards set for early childhood programs that help families make the right choice when looking for high quality early care and education centers. The standards are based on research on the development and education of young children and were created with input from thousands of experts

and educators from around the country. NAEYC Accreditation is the mark of quality and excellence helping parents find the best possible early childhood experience.

- **Colorado Preschool Program (CPP)** - Providing funding to establish quality early childhood education programs that serve children eligible to enroll in kindergarten the following year. A vital component of CPP is to strengthen families and support them as participants in their child's education. Without community based programs such as Seeds of Learning providing the Colorado Preschool Program, Archuleta County would lose allotted state funds and at-risk children and families would be without early education and support services.
  
- **Will continue to:** follow NAEYC Accreditation Standards to the highest level of performance
  
- **Will continue to:** aid the staff in planning and implementing their educational plans (Professional Development Plans) as well as monitor their success in attaining the goals set forth each year through their annual evaluations.
  
- **Will continue to:** enlist qualified professionals to execute ITERS/ECERS annually.
  
- **Will continue to:** respond to the ITERS/ECERS evaluations positively, correcting anything that needs improvement.
  
- **Will continue to:** consult with kindergarten teachers for an evaluation of our effectiveness in promoting kindergarten readiness.
  
- **Will continue to:** execute the Colorado Preschool Program Parent Surveys twice annually and use those surveys to evaluate and improve the program.
  
- **Will continue to:** gather and document Teaching Strategies Gold/Creative Curriculum / Teaching Strategies Gold assessments to create and implement individualized goals and objectives for each child enrolled quarterly.
  
- **Will continue to:** evaluate the program outcomes annually during the month of September for the current year. From all evaluations, the Executive Director and Program Director will set both specific center and program goals and objectives for the coming year

## Parent Relationship Building Goals

*Note: Refer to the Parent Handbook for additional details.*

Because warm, supportive, and respectful relationships between adults and children lie at the heart of excellent care for children, the staff at Seeds of Learning:

- **Will continue to:** Encourage parent involvement through the Parent Advisory Committee
  - Keep agendas and minutes for each meeting
  - Report on meetings to Board of Directors, staff or parents as needed
- **Will continue to:** Encourage parent involvement in program and curriculum goals and objectives.
- **Will continue to:** Encourage parent involvement through an effective volunteer program, which will defray day-day operational costs and will include in-kind services as well as fund-raising activities.
- **Will continue to:** Facilitate parent-led initiatives to support the school such as facility maintenance, teacher appreciation activities, outings, as well as networking to address one another's concerns.
- **Will continue to:** Inspire parents to enroll in parenting classes to create home and school environment consistency / childrearing practices.
- **Will continue to:** Track volunteer hours and create an acknowledgment process (i.e. thank you note, phone calls, etc.)

## **Fund Development Goals**

***Note: Details for 2015 are outlined in Fund Development Plan.***

Continue to establish a relationship with a diversified donor base to ensure the funding needed to meet the annual operating budget.

Insure adequate financial planning to maintain 3-months operating reserve to mitigate unforeseen cash flow operational risks (as set forth in BOD resolution adopted in 2012).

Follow annually approved Fund Development Plan and Board Calendar to accomplish stated goals.

Evaluate Fund Development goals quarterly and adjust plans to meet budget shortfalls.

Deepen existing relationships with financial supporters (individuals, businesses, granters, foundations) regarding our mission through print, social media, focus groups, and personal contact.

Maintain the recordkeeping system and begin a structured donor cultivation process.

### **Long Term (To be re-addressed in 2016)**

Secure stable income sources to support annual budgetary needs.

Maintain stable income sources to provide health insurance stipend to all staff.

Develop and support a Philanthropy Committee whose goal is sustained income.

## **Facilities Goals**

Maintain attractiveness and value of the facility through preventive maintenance programs.

Create plans and build a pavilion with attached playground shade structures.

### **Long Term**

Replace flooring in entire facility by 2016.

## **Personnel Goals**

***Note: Refer to the individual Staff Development Plan for additional details.***

Continue professional development to ensure high competence and integrity.

### **Long Term**

Create a succession plan for the Executive Director.

## **Marketing/Public Relations Goals**

*Note: Refer to the Community Awareness section of the Fund Development Plan for additional details.*

Develop a consistent message (brand image) about our mission and benefit to the community.

Continue to implement an awareness strategy so that Seeds is always in the public eye.

Continue to maintain and enhance our website, Facebook and other social media presence.

### **Long Term**

Develop general (stories) and specific (data) measurable outcomes to share when cultivating donors.

Recruit a marketing specialist to create a consistent brand image for Seeds across all media.

## **Board Governance Goals**

Maintain a Board Governance Committee and Chairman responsible for identifying, interviewing, nominating and mentoring new board members.

Recruit new board members in 2015 to increase the board to 7.

### **Long Term**

Increase Board membership to 9.

Consider creating an advisory board.



# AGENDA DOCUMENTATION

## NEW BUSINESS: IV.5

PAGOSA SPRINGS TOWN COUNCIL

JANUARY 5, 2016

FROM: GREGORY J. SCHULTE, TOWN MANAGER

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**PROJECT: MUNICIPAL CODE ARTICLE I, SECTION 6.2 PAWNBROKERS**

**ACTION: DISCUSSION AND POSSIBLE ACTION**

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### PURPOSE/BACKGROUND

In 2005 by Ordinance 648, the Town Council amended Article I, Section 6.2 of the Municipal Code regulating Pawnbrokers. Included in that section is a provision that regulates the "fixed price" a Pawnbroker may charge on a "contract for service." The relevant section of the Municipal Code, including the definitions for "fixed price" and "contract for service" is attached as Exhibit A.

Essentially the Town's Municipal Code regulation for "fixed price" is as follows:

- One – tenth (1/10 or 10%) of the original purchase price for each month, plus the original purchase price on amounts \$50 or more.
- One – fifth (1/5 or 20%) of the original purchase price for each month, plus the original purchase price on amounts \$50 or less.

The owners of San Juan Trading Post have brought to staff's attention a particular section of the Colorado Revised Statutes (CRS 12-56-101) passed by the Legislature in 2012 that regulates Pawnbrokers on a statewide basis (Exhibit B). In this legislation it also defines "fixed price" and specifies that it is not to exceed 20% for any contract for service. Furthermore, there is a provision that appears to limit the regulations on the amount a local licensing authority can set as a fixed price. The pertinent provision is as follows:

*"Local licensing authorities may license and require pawnbrokers be bonded and insured and may enact regulations governing pawnbrokers, which regulations shall be at least as restrictive as the provisions of this article; except that the regulations shall be no more restrictive than this article with respect to fixed time and fixed price."*

Since this seems to restrict the ability of a home rule municipality, like the Town of Pagosa, to restrict the fixed price as is the case in the Town's Municipal Code, staff requested an opinion from the Town Attorney as to whether we must comply with the specified provision of state statute, or would the Town's Home Rule Charter prevail. The opinion of the Town Attorney is provided as Exhibit C and essentially affirms the Town's power to set the amount of the fixed price.

The request of the ownership of San Juan Pawnbrokers is to amend the Town's Municipal Code such that the fixed price requirement is to be no more restrictive that state law.

### ATTACHMENTS:

- Exhibit A: Town Ordinance 648 Amending Town Municipal Code Section 6.2
- Exhibit B: C.R.S. 12-56-101 (2012)
- Exhibit C: Memorandum from Town Attorney

### **FISCAL IMPACT**

There is no direct fiscal impact to the Town as we do not collect a specific fee or tax in regards to this type of commercial enterprise. However, there is the policy question of what is an appropriate percentage to charge on a “contract for service” type of transaction. The very reason why the fixed price charge is regulated is because the people that are more likely to engage in this type of financial transaction are the demographic that are most vulnerable to high interest loans and does fit within the purview of the Town Council responsibility to protect the health, safety, and welfare of its citizens.

### **RECOMMENDATION**

Possible motions for the Town Council to consider are:

1. **“Move to direct staff to bring back for Council’s consideration an Ordinance to amend Article I, Section 6.2 of Municipal Code regarding Pawnbroker regulation changing the fixed price limitation to be no more restrictive than state statute.”**
2. **“Move to decline to amend Article I, Section 6.2 of the Town’s Municipal Code regarding Pawnbroker regulation.”**
3. **Direct staff otherwise.**

TOWN OF PAGOSA SPRINGS, COLORADO

Ordinance No. 648  
(Series 2005)

**AN ORDINANCE OF THE TOWN OF PAGOSA SPRINGS  
ADOPTING A BUSINESS LICENSE PROGRAM, AND  
REPEALING AND READOPTING PROGRAMS  
REGARDING PAWNBROKER, VENDORS, PEDDLERS  
AND SOLICITORS LICENSES AND CONTRACTORS  
WORK PERMITS, AND AMENDING THE PAGOSA  
SPRINGS MUNICIPAL CODE.**

WHEREAS, the Town of Pagosa Springs ("Town") is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Pagosa Springs Home Rule Charter of 2003; and

WHEREAS, pursuant to its home rule powers and Section 31-15-501, C.R.S., the Town is authorized to license and regulate any lawful occupation and business and to fix the amount, terms and manner of issuing and revoking business licenses; and

WHEREAS, the Town Council has determined that it is a necessary exercise of the duties and authorities delegated to it by the Colorado State Constitution and the laws of the State of Colorado to establish regulations designed to maintain current information with respect to business, trade, service, commercial and professional activities carried on within the Town; and

WHEREAS, the Town Council has determined that the maintenance of information with respect to current business, trade, service, commercial and professional activities carried on within the Town can best be accomplished through the establishment of a program for the licensing and registration of such activities; and

WHEREAS, the Town Council wishes to codify in Chapter 6 of the Municipal Code the Town's general business licensing program as well as specialty licensing and permit programs for pawnbrokers, vendors, peddlers, solicitors and contractors;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, as follows:

**Section 1. Repeal of Municipal Code Provisions.** The Pagosa Springs Municipal Code is hereby amended by the repeal of the following provisions:

Article 1, of Chapter 6, in its entirety, including Sections 6.1.1 through 6.1.12, inclusive, regarding Pawnbrokers.

Article II, of Chapter 6, in its entirety, including Section 6.2.1 through 6.2.8, inclusive, regarding Vendors, Peddlers and Solicitors.

- (4) Public schools.
- (5) A federal, state, or local government agency that is exempted by state law from collecting municipal taxes.
- (6) An individual conducting an **occasional** yard or garage sale is exempt from both the licensing and the fee requirements.
- (7) Businesses which are properly licensed pursuant to Article III of this Chapter 6 are exempt from both the licensing and fee requirements.

## **ARTICLE II. PAWNBROKERS**

### **Sec. 6.2.1. Definitions.**

As used in this Article, unless the context otherwise requires:

- (1) **“Contract for purchase”** means a contract entered into between a pawnbroker and a customer pursuant to which money is advanced to the customer by the pawnbroker on the delivery of tangible personal property by the customer on the condition that the customer, for a fixed price and within a fixed period of time, not to exceed ninety (90) days, has the option to cancel said contract.
- (2) **“Fixed price”** means the amount agreed upon to cancel a contract for purchase during the option period. The fixed price shall not exceed:
  - (a) One-tenth (1/10) of the original purchase price for each month, plus the original purchase price, on amounts fifty dollars (\$50.00) or over; or
  - (b) One-fifth (1/5) of the original purchase price for each month, plus the original purchase price, on amounts under fifty dollars (\$50.00).
- (3) **“Fixed time”** means that period of time, not to exceed ninety (90) days, as set forth in a contract for purchase, for an option to cancel said contract.
- (4) **“Option”** means the fixed time and the fixed price agreed upon by the customer and the pawnbroker in which a contract for purchase may be, but does not have to be, rescinded by the customer.
- (5) **“Pawnbroker”** means a person regularly engaged in the business of making contracts for purchase or purchase transactions in the course of business.
- (6) **“Purchase transaction”** means the purchase by a pawnbroker in the course of business of tangible personal property for resale, other than newly manufactured tangible personal property that has not previously been sold at retail, when such purchase does not constitute a contract for purchase.

(7) **“Tangible personal property”** means all personal property other than choses in action, securities, or printed evidences of indebtedness, which property is deposited with or otherwise actually delivered into the possession of a pawnbroker in the course of business in connection with a contract for purchase or a purchase transaction.

**Sec. 6.2.2. Licenses and Bond Required.**

No corporation, company, person, or other legal entity shall establish or conduct the business of pawnbroker within the Town unless such corporation, company, person, or legal entity has first procured from the Licensing Officer a business license pursuant to Article 1 of this Chapter 6, and procured a specialty license and executed a bond pursuant to this Article.

**Sec. 6.2.3. License Application Procedures.**

The Licensing Officer shall have the authority and responsibility of administering the pawnbroker license program. The application for a license to be issued under the provisions of this Article shall be made to the Licensing Officer, on forms supplied by the Licensing Officer and containing the following information:

- (1) The amount of capital proposed by the applicant to be used in the pawnbroker business.
- (2) The place, street and number where the pawnbroker business is to be conducted.
- (3) Evidence of good character of the pawnbroker applicant satisfactory to the Licensing Officer.

**Sec. 6.2.4. Fee Required.**

The applicant shall deliver a properly completed application, together with the payment to the Licensing Officer of fees as set by resolution of the Town Council. If the Licensing Officer determines that the requirements of this Article have been met for a pawnbroker license, the Licensing Officer shall issue a license for pawnbroker.

**Sec. 6.2.5. Bond Required.**

At the time an applicant receives a pawnbroker license from the Licensing Officer, the applicant shall provide a surety bond in the sum of five-thousand dollars (\$5,000.00) with a surety in good standing and licensed to conduct business in the State of Colorado. Such bond shall guarantee the pawnbroker’s observance of this Article or such ordinances as may be passed or enforced hereafter respecting pawnbrokers, and guarantee the safekeeping and return of all articles held in pawn by the pawnbroker in accordance with this Article. Such bond shall continue in full force and effect so long as the license remains in effect.

**Sec. 6.2.6. Records Required.**

- (1) Every pawnbroker shall keep a register in which he or she records the following information:
  - (a) The name, address, and date of birth of the customer, and his or her driver's license number or other identification number from any other form of identification which is allowed for the sale of valuable articles pursuant to Section 18-16-103, C.R.S., or secondhand property pursuant to Section 18-13-114, C.R.S.;
  - (b) The date, time, and place of the contract for purchase or purchase transaction, and an accurate account and description of each item of tangible personal property, including but not limited to, any trademark, identification, serial or model number, brand name, or other identifying marks.
- (2) The pawnbroker shall also obtain a written declaration of the customer's ownership, stating that the tangible personal property is totally owned by the customer, or shall have attached to such declaration a power of sale from the partial owner to the customer, how long the customer has owned the property, whether the owner or someone else found the property, and if the property was found, the details of the finding.
- (3) The customer shall sign his or her name in the register and on the declaration of ownership and receive a copy of the contract for purchase or a receipt from a purchase transaction.
- (4) The pawnbroker shall maintain such register for a period of no less than three (3) years from the date the last entry was made in such register.

**Sec. 6.2.7. Records Open to Authorized Persons.**

The register shall be open for inspection by the Mayor, Licensing Officer, Chief of Police, or any authorized Town official at any reasonable time.

**Sec. 6.2.8. Submission of Records to Police.**

Every pawnbroker shall provide the police department, on a weekly basis, with two (2) records, on a form to be provided or approved by the police department, of all tangible personal property accepted during the preceding week and one (1) copy of the customer's declaration of ownership. The form shall contain the same information required to be recorded in the pawnbroker's register pursuant to this Article. The police department shall designate the day of the week on which the records and declarations shall be submitted.

**Sec. 6.2.9. Insurance and Safekeeping.**

Any pawnbroker licensed and operating under the provisions of this Article shall provide a safe place for the keeping of the tangible personal property received by him or her and shall

have sufficient insurance on the property held for the benefit of the pledgor of the property, to pay one-half (1/2) the real value thereof in case of damage, destruction, or loss due to fire or otherwise. A copy of the insurance policy shall be filed with the Licensing Officer. Neither the pawnbroker nor the bondsman shall be relieved from responsibility for complying with this article by reason of fire or other cause.

**Sec. 6.2.10. Holding Period.**

A pawnbroker shall hold:

- (1) All contracted property within his or her possession for a period of ten (10) days following the maturity date of the contract for purchase, separate and apart from any other tangible personal property.
- (2) All property purchased by him or her through a purchase transaction for thirty (30) days following the date of purchase, separate and apart from any other tangible personal property.
- (3) All contracted or purchased tangible personal property for the time periods described above without changing the form of the property or altering it in any way.

**Sec. 6.2.11. Transactions with Minors.**

No pawnbroker shall enter into a contract for purchase or purchase transaction with any person under the age of eighteen (18) years of age.

**Sec. 6.2.12. Prohibited Acts.**

- (1) With respect to a contract for purchase, no pawnbroker may permit any customer to become obligated on the same day in any way under more than one contract for purchase agreement with the pawnbroker which would result in the pawnbroker obtaining a greater amount of money than would be permitted if the pawnbroker and customer had entered into only one contract for purchase covering the same tangible personal property.
- (2) No pawnbroker shall violate the terms of the contract for purchase.
- (3) No customer shall knowingly give false information with respect to the information required to be kept by a pawnbroker in the register of information.
- (4) No person shall violate the terms or fail to comply with the terms of this article.

**ARTICLE III. VENDORS, PEDDLERS AND SOLICITORS**

**Sec. 6.3.1. Definitions.**

The following terms shall have meanings as indicated, unless the context otherwise requires:

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TITLE 12. PROFESSIONS AND OCCUPATIONS  
GENERAL - Continued  
ARTICLE 56. PAWNBROKERS

C.R.S. 12-56-101 (2012)

12-56-101. Definitions

As used in this article, unless the context otherwise requires:

(1) "Contract for purchase" means a contract entered into between a pawnbroker and a customer pursuant to which money is advanced to the customer by the pawnbroker on the delivery of tangible personal property by the customer on the condition that the customer, for a fixed price and within a fixed period of time, to be no less than thirty days, has the option to cancel said contract.

(2) "Fixed price" means the amount agreed upon to cancel a contract for purchase during the option period. Said fixed price shall not exceed:

(a) (Deleted by amendment, L. 2004, p. 392, § 1, effective August 4, 2004.)

20% → (b) One-fifth of the original purchase price for each month, plus the original purchase price.  
Loan

(3) "Fixed time" means that period of time, to be no less than thirty days, as set forth in a contract for purchase, for an option to cancel said contract.

(4) "Local law enforcement agency" means any marshal's office, police department, or sheriff's office with jurisdiction in the locality in which the customer enters into a contract for purchase or a purchase transaction.

(5) "Local licensing authority" means the governing body of a municipality or city and county in any incorporated area of the state and the board of county commissioners of a county in any unincorporated area of the state.

(6) "Option" means the fixed time and the fixed price agreed upon by the customer and the pawnbroker in which a contract for purchase may be but does not have to be rescinded by the customer.

(7) "Pawnbroker" means a person regularly engaged in the business of making contracts for purchase or purchase transactions in the course of his business.

(8) "Purchase transaction" means the purchase by a pawnbroker in the course of his business of tangible personal property for resale, other than newly manufactured tangible personal property which has not previously been sold at retail, when such purchase does not constitute a contract for purchase.

(9) "Tangible personal property" means all personal property other than choses in action, securities, or printed evidences of indebtedness, which property is deposited with or otherwise actually delivered into the possession of a pawnbroker in the course of his business in connection with a contract for purchase or purchase transaction.

**HISTORY:** Source: L. 84: Entire article R&RE, p. 440, § I, effective July 1. L. 2004: (1) to (3) amended, p. 392, § 1, effective August 4.

Cross references: For disposition of moneys collected under this title, see § § 24-35-101 and 24-36-103; for practicing a profession or operating a business without a license, see § § 12-51-106 and 16-13-306; for rule-making procedures and license suspension and revocation procedures by state agencies, see article 4 of title 24; for the authority of the executive director of the department of regulatory agencies to change the period of validity and renewal date of any license or certificate issued by any examining or licensing board or commission in the division of registrations, see § 24-34-102 (7) and (8); for an alternative disciplinary action for persons licensed, registered, or certified pursuant to this title, see § 24-34-106.

Editor's note: This article was numbered as article 58 of chapter 139, C.R.S. 1963. The provisions of this article were repealed and reenacted in 1984, resulting in the addition, relocation, and elimination of sections as well as subject matter. For amendments to this article prior to 1984, consult the Colorado statutory research explanatory note and the table itemizing the replacement volumes and supplements to the original volume of C.R.S. 1973 beginning on page vii in the front of this volume.

Law reviews: For article, "Constitutional Law" which discusses a recent Tenth Circuit decision dealing with due process rights of a pawnbroker in consigned property, see 64 Den. U. L. Rev. 202 (1987).

ANNOTATION

Bankruptcy court determined that under this section a pawn transaction is not a conveyance of title but is a secured transaction, and therefore can be dealt with in the debtor's chapter 13 plan. In re Lopez, 163 Bankr. 189 (Bankr. D. Colo. 1994).

*C.R.S. 12-56-102*

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TITLE 12. PROFESSIONS AND OCCUPATIONS  
GENERAL - Continued  
ARTICLE 56. PAWNBROKERS

C.R.S. 12-56-102 (2012)

12-56-102. Local authority to license and regulate - *CAN BE "NO MORE RESTRICTIVE."*

\* Local licensing authorities may license pawnbrokers and require that pawnbrokers be bonded and insured and may enact regulations governing pawnbrokers, which regulations shall be at least as restrictive as the provisions of this article; ~~except that the regulations shall be no more restrictive than this article with respect to fixed time and fixed price.~~

**HISTORY:** Source: L. 84: Entire article R&RE, p. 441, § 1, effective July 1. L. 2004: Entire section amended, p. 393, § 2, effective August 4.

Cross references: For the authority of counties and municipalities to regulate and license pawnbrokers, see § § 30-15-401 (1)(k) and 31-15-401 (1)(n).

ANNOTATION

Law reviews. For note, "Colorado Interest Law", see 34 Dicta 398 (1957).

Annotator's note. Since § 12-56-102 is similar to former § 139-58-1, C.R.S. 1963, and laws antecedent thereto, relevant cases construing those provisions have been included in the annotations to this section.

Cities and towns administer scheme regulating pawnbrokers. The general assembly has provided a comprehensive scheme for the regulation of pawnbrokers to be administered through its cities and towns. *Lakewood Pawnbrokers, Inc. v. City of Lakewood*, 183 Colo. 370, 517 P.2d 834 (1973).

Municipality may exact additional requirements. The mere fact that the state, in the exercise of the police power, has made certain regulations does not, however, prohibit a municipality from exacting additional requirements. *Provident Loan Soc'y v. City and County of Denver*, 64 Colo. 400, 172 P. 10 (1918).

So long as there is no conflict between state and municipality requirements, and the requirements of the municipality bylaws are not in themselves pernicious, as being unreasonable or discriminatory, both will stand. *Provident Loan Soc'y v. City and County of Denver*, 64 Colo. 400, 172 P. 10 (1918).

\* An ordinance of a city council regulating the licensing of pawnbrokers to be valid must be subordinate to and in harmony with the provisions of this article. *Solomon v. City of Denver*, 12 Colo. App. 179, 55 P. 199 (1898).

*C.R.S. 12-56-103*

## COLORADO REVISED STATUTES

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### TITLE 12. PROFESSIONS AND OCCUPATIONS GENERAL - Continued ARTICLE 56. PAWNBROKERS

*C.R.S. 12-56-103 (2012)*

#### 12-56-103. Required acts of pawnbrokers

(1) A pawnbroker shall keep a numerical register or other tangible or electronic record in which the pawnbroker shall record the following information: The name, address, and date of birth of the customer, and the driver's license number or other identification number from any other form of identification that is allowed for the sale of valuable articles pursuant to section 18-16-103, C.R.S., or for the sale of secondhand property

pursuant to section 18-13-114, C.R.S.; the date, time, and place of the contract for purchase or purchase transaction; and an accurate and detailed account and description of each item of tangible personal property, including, but not limited to, any trademark, identification number, serial number, model number, brand name, or other identifying marks on such property. The pawnbroker shall also obtain a written declaration of the customer's ownership, which shall state that the tangible personal property is totally owned by the customer, or shall have attached to such declaration a power of sale from the partial owner to the customer, how long the customer has owned the property, whether the customer or someone else found the property, and, if the property was found, the details of the finding.

(2) The customer shall sign the register or other tangible or electronic record and the declaration of ownership and shall receive a copy of the contract for purchase or a receipt of the purchase transaction.

(3) The register or other tangible or electronic record, as well as a copy of the contract for purchase or a receipt of the purchase transaction, shall be made available to any local law enforcement agency for inspection at any reasonable time.

(4) The pawnbroker shall keep each register or other tangible or electronic record for at least three years after the date of the last transaction entered in the register.

(5) A pawnbroker shall hold all contracted goods within his jurisdiction for a period of ten days following the maturity date of the contract for purchase, during which time such goods shall be held separate and apart from any other tangible personal property and shall not be changed in form or altered in any way.

(6) A pawnbroker shall hold all property purchased by him through a purchase transaction for thirty days following the date of purchase, during which time such property shall be held separate and apart from any other tangible personal property and shall not be changed in form or altered in any way.

(7) (a) Every pawnbroker shall provide the local law enforcement agency, on a weekly basis, with two records, on a form to be provided or approved by the local law enforcement agency, of all tangible personal property accepted during the preceding week and one copy of the customer's declaration of ownership. The form shall contain the same information required to be recorded in the pawnbroker's register or other tangible or electronic record pursuant to subsection (1) of this section. The local law enforcement agency shall designate the day of the week on which the records and declarations shall be submitted.

(b) A local law enforcement agency is not required to use the information submitted pursuant to paragraph (a) of this subsection (7) to provide a benefit to the general public. The state and local governments may enact no further fees, charges, or taxes related to the use of the information provided to local law enforcement.

**HISTORY:** Source: L. 84: Entire article R&RE, p. 441, § 1, effective July 1.L. 2004: (1) to (4) and (7) amended, p. 393, § 3, effective August 4.

**ANNOTATION**

Law reviews. For article, "Discharge of Security Transactions", see 26 Rocky Mt. L. Rev. 115 (1954).

Person who knowingly provides false information with respect to any item of information required in this section is punishable pursuant to § 12-56-104 (5). Use of word "and" does not require a person to knowingly provide false information with respect to each and every item of information required in this section to be guilty of such charge. People v. Richards, 23 P.3d 1223 (Colo. 2000).

*C.R.S. 12-56-104*

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November 6, 2012 \*\*\***

**TITLE 12. PROFESSIONS AND OCCUPATIONS  
GENERAL - Continued  
ARTICLE 56. PAWNBROKERS**

**C.R.S. 12-56-104 (2012)**

**12-56-104. Prohibited acts - penalties**

- (1) No pawnbroker shall enter into a contract for purchase or purchase transaction with any individual under the age of eighteen years.
- (2) With respect to a contract for purchase, no pawnbroker may permit any customer to become obligated on the same day in any way under more than one contract for purchase agreement with the pawnbroker which would result in the pawnbroker obtaining a greater amount of money than would be permitted if the pawnbroker and customer had entered into only one contract for purchase covering the same tangible personal property.
- (3) (a) No pawnbroker shall violate the terms of the contract for purchase.

(b) A pawnbroker who violates the terms of a contract for purchase involving a fixed price as set forth in section 12-56-101 (2) commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.

(4) Except as otherwise provided in this section, any pawnbroker who violates any of the provisions of this article commits a class 1 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S., and upon a second or subsequent conviction of a violation of this article within three years after the date of a prior conviction, a pawnbroker commits a class 6 felony and shall be punished as provided in section 18-1.3-401, C.R.S.

(5) Any customer who knowingly gives false information with respect to the information required by section 12-56-103 (1) commits a class 6 felony and shall be punished as provided in section 18-1.3-401, C.R.S.

**HISTORY:** Source: L. 84: Entire article R&RE, p. 442, § 1, effective July 1. 2002: (4) and (5) amended, p. 1582, § 10, effective July 1; (3)(b), (4), and (5) amended, p. 1486, § 112, effective October 1.

Editor's note: Amendments to subsections (4) and (5) by House Bill 02-1046 and House Bill 02-1237 were harmonized.

Cross references: For the legislative declaration contained in the 2002 act amending subsections (3)(b), (4), and (5), see section 1 of chapter 318, Session Laws of Colorado 2002.



# AGENDA DOCUMENTATION

## NEW BUSINESS: IV.6

PAGOSA SPRINGS TOWN COUNCIL

JANUARY 5, 2016

FROM: GREGORY J. SCHULTE, TOWN MANAGER

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**PROJECT: MUNICIPAL APPOINTMENT TO THE SOUTHWEST BASIN ROUNDTABLE**

**ACTION: DISCUSSION AND POSSIBLE ACTION**

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### PURPOSE/BACKGROUND

Colorado's growth and development as a state are intertwined with water. Development and management of water is complex, controversial and at times contentious. Decisions regarding water have become increasingly complex as Colorado has experienced both unprecedented population growth and a greater emphasis on multiple uses of this precious resource.

To facilitate discussions on water management issues and encourage locally driven collaborative solutions, nine basin roundtables were established by the Colorado Water for the 21st Century Act. These roundtables represent each of the state's eight major river basins and the Denver metropolitan area. The Southwest Basin Roundtable is located in the southwest corner of Colorado and covers an area of approximately 10,169 square miles and includes Archuleta, La Plata, Dolores, Hinsdale, Montezuma, San Juan, and San Miguel counties.

### Southwest Basin Roundtable (BRT) Priorities:

- Ensure endangered species' needs do not negatively impact future in-basin uses
- Address compact delivery impacts to existing and future in-basin water rights
- Address potential agricultural firming needs
- Ensure adequate water for future needs
- 

### Southwest BRT Activities and Accomplishments

The Southwest Basin is actively working on updates to its consumptive needs assessment. The Southwest Basin has completed and approved Phase I of its non-consumptive needs assessment (NCNA) through the creation of a map with subcategory counts by stream segment. The non-consumptive subcategories included six different attributes of environmental and recreational items. A large portion of the streams and lakes contained at least one environmental or recreational subcategory. The Southwest Basin Roundtable completed a geodatabase incorporating both non-consumptive and consumptive projects. The database will highlight opportunities for collaboration as well as potential conflicts related to future development of the basin's needs.

### Southwest Basin's Major Projects and Programs

- Dry Gulch Reservoir -
- Animas-La Plata Project -
- Long Hollow Reservoir -
- La Plata Archuleta Water District

The Town of Pagosa Springs as the only incorporated municipality in Archuleta County is entitled to membership on the Roundtable. Based upon available records, the last Town representative was Mark Garcia acting as Town Manager. The Roundtable staff is asking whether the Town wants to designate a presentative. The representative could be a staff member or an elected official. The Roundtable meets quarterly.

**ATTACHMENTS:**

- Southwest Basin Roundtable current membership roster

**FISCAL IMPACT**

There is no direct fiscal impact by designating a representative to the Roundtable other than perhaps minor travel costs and the time for the travel and meetings.

**2016 Town Council Goals & Objectives**

Designating a representative to the Roundtable is consistent with the Council Goal #4 of “Improve communication, encourage public engagement, and pursue cooperative relationships” and specifically the Action item within Goal 4.3 of “Participation on Boards and Commissions.”

**RECOMMENDATION**

Possible motions for the Town Council to consider are:

1. **“Move to DESIGNATE \_\_\_\_\_ as the Town of Pagosa Springs representative to the Southwest Basin Roundtable.”**
2. **“Move to DECLINE DESIGNATING a representative to the Southwest Basin Roundtable.”**
3. **Direct staff otherwise.**

## SOUTHWEST BASIN ROUNDTABLE

Seat	First Name	Last Name	Email Address
Agricultural Representative	Mike	Cantebury	prid1@qwestoffice.net
Animas-La Plata Water Conservancy	Bruce	Whitehead	brucew@southwesternwater.org
Archuleta County	Michael	Whiting	whitinginpagosa@yahoo.com
At Large Representative	Edward	Tolen	etolen@laplawd.org
At Large Representative	Don	Magnuson	dmagnuson@mvic.info
At Large Representative	Ann	Oliver	aoliver@gmail.com
At Large Representative	Val	Valentine	pagosahval@centurytel.net
At-Large Representative	Michael	Preston	mpreston@frontier.net
At-Large Representative	Chuck	Wanner	cwanner@frontier.net
BLM(liaison)	Kelly	Palmer	kapalmer@fs.fed.us
BOR (liaison)	Vern	Harrell	vharrell@uc.usbr.gov
BOR Liaison	Ryan	Christianson	rchristianson@usbr.gov
BOR(liaison)	Ed	Warner	ewarner@uc.usbr.gov
CO Division of Water Resources(liaison)	Rob	Genualdi	robert.genualdi@state.co.us
CO Water Quality Control Division(liaison)	Dick	Parachini	dick.parachini@state.co.us
Colorado Geological Survey(liaison)	Peter	Barkmann	barkmann@mines.edu
CSU Extension Service (liaison)	Daniel	Fernandez	daniel.fernandez@colostate.edu
CWCB Member - Southwest	April	Montgomery	april@aprilmconsulting.com
Division of Wildlife(liaison)	David	Graf	david.graf@state.co.us
Division of Wildlife(liaison)	Jay	Skinner	jay.skinner@state.co.us
Dolores County	Doug	Stowe	dsratpack11@gmail.com
Dolores Municipality	Sonny	Frazier	towndc@centurytel.net
Dolores Water Conservancy District	Donald	Schwindt	dysch@frontier.net
Education liaison - Southwest RT	Denise	Rue-Pastin	druepastin@gmail.com
Environmental Representative	Mely	Whiting	mwhiting@tu.org
Florida Water Conservancy District	John	Ey	fwcd@frontier.net
Hinsdale County	John	Taylor	jtaylor034@centurytel.net
Industrial Representative	Ken	Beegles	beegles@frontier.net
La Plata County	Ed	Zink	edzink@waterfallranch.com
La Plata Municipality	Dirk	Nelson	dirk.nelson@durangogov.org
La Plata Water Conservancy District	Dan	Huntington	daneva@myapplemail.com
Legislative Appointment/Gunnison Non	Steven	Harris	steve@durangowater.com
Local Domestic Water Provider Rep	Carrie	Lile	carrie@durangowater.com
Mancos Water Conservancy District	Gary	Kennedy	gary_mwcd@velocitynetdsl.com
Montezuma County	Gerald	Koppenhafer	kopp_g_c@yahoo.com
Montezuma Muni	Bruce	Smart	bsmart@cityofcortez.com
Montrose County	Dean	Naslund	naslundson63@yahoo.com
Montrose Municipality	Tim	Pierce	cdpierce35@aol.com
Recreational Representative	Tim	Hunter	hunter@frontier.net
San Juan County	Stephen	Fearn	fearneng@rmi.net
San Juan Water Conservancy District	Rodney	Proffitt	planatlaw@gmail.com
San Miguel County	Jennifer	Russell	jenny.russell@lawtelluride.com
San Miguel Municipality	Peter	Mueller	pmueller@tnc.org
Southern Ute Indian Tribe DNR	Charles	Lawler	clawler@southern-ute.nsn.us
Southwestern Water Conservation District	John	Porter	Dolores333@q.com
U.S. Army Corps of Engineers (liaison)	Kara	Hellige	kara.a.hellige@usace.army.mil
US Forest Service(liaison)	Kara	Chadwick	kchadwick@fs.fed.us
US Geologic Survey(liaison)	David	Brown	dsbrown@usgs.gov
Ute Mountain Ute Indian Tribe	Celene	Hawkins	chawkins@utemountain.org



# AGENDA DOCUMENTATION

## NEW BUSINESS: IV.7

PAGOSA SPRINGS TOWN COUNCIL

JANUARY 05, 2016

FROM: JAMES DICKHOFF, TOWN PLANNING DIRECTOR

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**PROJECT: MOUNTAIN CROSSING SUBDIVISION, PRELIMINARY SUBDIVISION PLAN APPROVAL EXTENSION APPLICATION**

**ACTION: DISCUSSION AND POSSIBLE ACTION**

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### PURPOSE

On December 23, 2015, Alice Platt, the Mountain Crossing commercial subdivision representative and owner, submitted a complete application for Preliminary Subdivision Plan Extension, requesting a three year extension of the previously approved preliminary commercial subdivision plan. The Proposed Mountain Crossing Commercial Subdivision development is located on 70 acres at the SE corner of Hwy 160 and Hwy 84.

On February 19, 2015, Town Council approved Ordinance 823, revising the LUDC requiring a formal application for preliminary plan extensions. In the past, staff brought requests to the PC and TC without a formal application process. The new application process requires the applicant to provide the following:

- 1) A completed Preliminary Subdivision Plan Extension application.
- 2) Payment of application fee of \$300.
- 3) Agreement of Payment of fees (for reimbursing Town for expenses associated with processing application).
- 4) Evidence of Good Title.
- 5) Taxes and list of taxing entities.
- 6) General development information, formal request for an extension.

### BACKGROUND

The Mountain Crossing Preliminary Plan Application was **originally approved on December 4, 2012** by Town Council with the following contingencies:

- 1) Complete annexation and zoning process for Strohecker Minor Subdivision Lot IIB, and combine this lot into the final MC plat.
- 2) Provide a Geotechnical Report, wet stamped and signed by a Colorado licensed engineer.
- 3) Provide Drainage Report, wet stamped and signed by a Colorado licensed engineer.
- 4) Provide proof of CDOT access permit approval.
- 5) Provide evidence that any required USACE permits have been submitted and have been approved or that permits are not required.
- 6) Provide 20 foot wide utility easements as requested by and negotiated with utility providers.
- 7) Provide Trail Dedication Language and all other corrections to the Preliminary Plat as directed by the Planning Director to be incorporated on the Final Plat.
- 8) Town shall hire a Third Party engineering firm for engineering plan review to be reimbursed by the applicant and the applicant shall incorporate engineering comments into the final plat/plan such.
- 9) Mountain Crossing Codes, Covenants and Restrictions (CC&R's) shall be recorded and provided to Town.
- 10) Proceed with annexation petition for the first 1800 lineal feet of Mill Creek Road and Provide engineering plans for required ROW improvements.
- 11) Submit proposed signage plan permit for review.
- 12) Other conditions as determined by the PC

**On January 07, 2014**, the Town Council approved a one year extension of previously approved the Mountain Crossing Preliminary Development Plan application, with an additional contingency of: *"Directing staff to work with applicant regarding if improvements are necessary on both side of Mill Creek Road and potential cost sharing opportunities."*

On December 02, 2014, Town Council approved an additional one year extension as follows:

*“Council Member Schanzenbaker moved to approve a one year extension for the previously approved Mountain Crossings development preliminary plan, including all contingencies approved by Town Council on December 4, 2012 with additional direction to staff to ensure the neighboring property owners are contacted regarding considering cost sharing for the south side curb, gutter and sidewalk improvements on Mill Creek Road, Council Member Egan seconded, unanimously approved.”*

**ANALYSIS:**

The Applicant has provided an update on the above listed contingencies set forth in the original approval, and represents that contingencies #1 - #10 will be completed at the time of phase 1 platting. #11 will be submitted at a later date (with Major Design Review Application) and #12 is To be determined.

As part of the required application submittal, the applicant has provided evidence that:

- 1) The property taxes are paid to date with a zero (\$0) balance.
- 2) The ownership of the property is still under Mountain Crossing, LLC.
- 3) There are no mortgages or loans outstanding on the property.

Staff has not identified any concerns or issues with the extension request.

**ATTACHMENT(S):**

- 1) Mountain Crossing Development Update.
- 2) Proposed Phasing Plan.
- 3) CDOT Access Permit Extension.

**FISCAL IMPACT**

There is no direct fiscal impact associated with the three year extension of the Mountain Crossing Subdivision preliminary Plan.

**RECOMMENDATION**

Staff recommends the TC consider the information provided and the applicants request for a three year extension for the Mountain Crossing Subdivision preliminary plan.

- 1) **APPROVE a Three (3) year Extension of the Mountain Crossing Subdivision Preliminary Plan Approval, in compliance with the contingencies set forth in the original approval and additionally included on December 2, 2014.**
- 2) **APPROVE a Three (3) year Extension of the Mountain Crossing Subdivision Preliminary Plan Approval, in compliance with the contingencies set forth in the original approval and additionally included on December 2, 2014, with the following additional contingencies.....**
- 3) **DENY a Three (3) year Extension of the Mountain Crossing Subdivision Preliminary Plan Approval.**

## Mountain Crossing Development Update

Mountain Crossing LLC is seeking a Preliminary Plan Extension for its 74+ acre commercial development located at the intersection of US Hwy 160 & State Hwy 84 in Pagosa Springs. The need for an extension is primarily twofold.

Recent dynamic marketing issues have caused the total development concept to shift to a phased perspective. Additional time is necessary to develop a logical phasing plan for submission and to pursue marketing options this phasing creates. Please note the Conceptual Phasing Plan included in this update.

CDOT permitting to access State Hwy 84 at Mill Creek Road (CR302) is approved thru August 6, 2016 (note copy included in this update). A phased development will necessitate a permit modification that will require more time to gain agency approvals.

Mountain Crossing LLC anticipates a 2016/2017 submittal of a Phase 1 Preliminary/Final Plan. The requested extension (preferably three years) would allow time to coordinate and develop these efforts.

### Mountain Crossing Contingency Updates:

1. To be completed (w/contingency 10 below) at time of Phase 1 platting.
2. To be completed for Phase 1 platting.
3. To be completed for Phase 1 platting.
4. To be completed for Phase 1 platting.
5. To be completed for Phase 1 platting. USACE wetlands study w/monitoring has been completed.
6. To be completed for Phase 1 platting.
7. To be completed for Phase 1 platting.
8. Noted.
9. To be completed for Phase 1 platting.
10. To be completed (w/contingency 1 above) at time of Phase 1 platting.
11. To be determined at a later date.
12. To be determined.

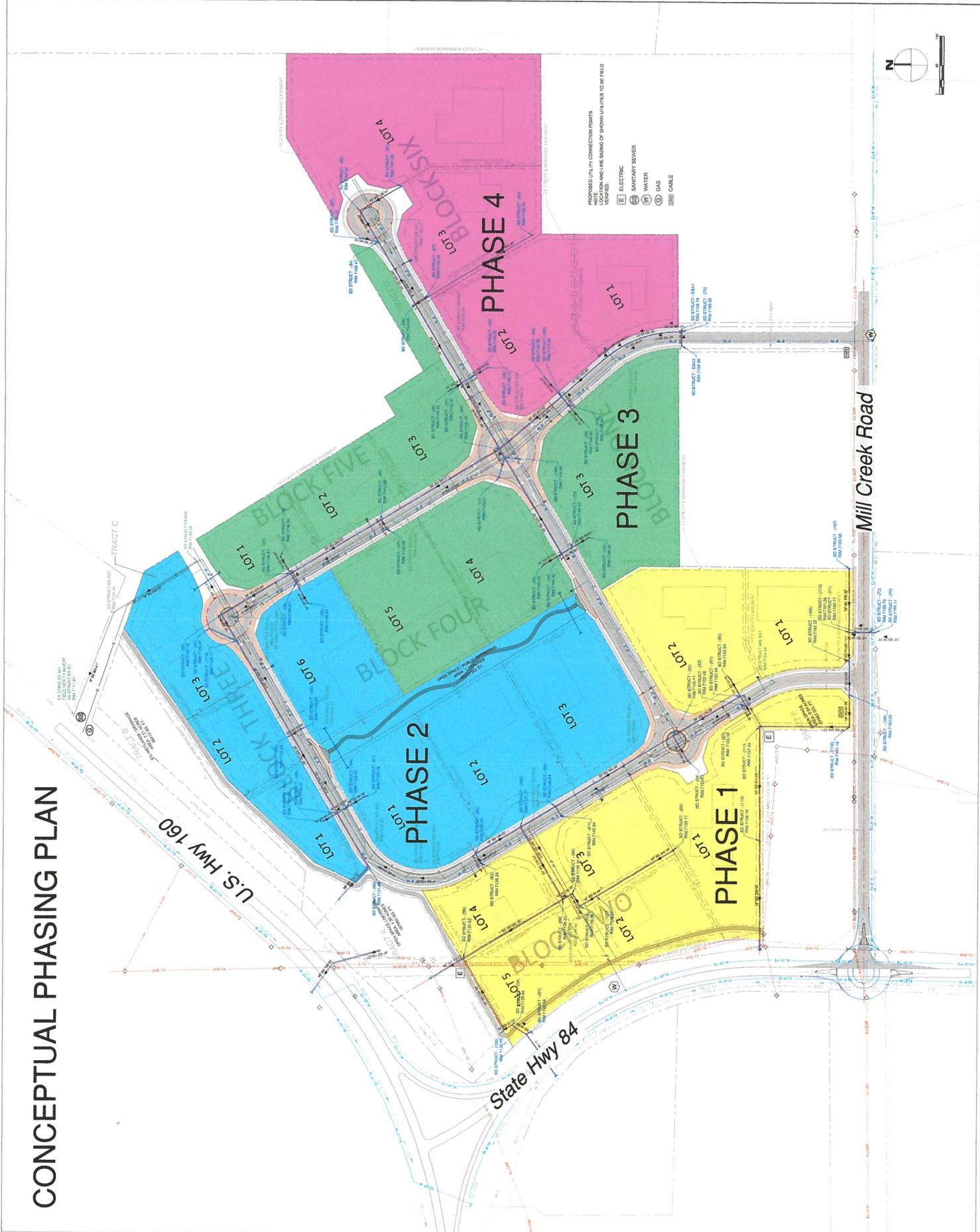
Pagosa Skyrocket survey w/annual updates have been conducted.

# CONCEPTUAL PHASING PLAN



TOWN OF PAGOSA SPRINGS, COLORADO  
 MOUNTAIN CROSSING  
 SUBDIVISION  
 ARCHULETA COUNTY, COLORADO

REVISIONS:  
 PROJECT NO: 141144  
 PROJECT PHASE: PRELIMINARY PLAN  
 DATE: 01/01/17  
 SCALE: 1"=50'  
 PHASING PLAN  
 M5





**COLORADO**

Department of Transportation

Region 5

Traffic & Safety  
3803 N. Main Avenue, Suite 100  
Durango, CO 81301

August 14, 2015

Summit AE  
ATTN: Keith Mendenhall  
2764 Compass Drive, #230  
Grand Junction, CO 81506

Re: Extension of **Access Permit No. 512059**, SH 084, MP 27.66 Right in Archuleta County

Dear Keith:

We received July 28, 2015 your request for a one-year extension of time to construct the above-referenced access permit.

Pursuant to the 1998 State Highway Access Code, Section 2.11(d), please consider this letter as authorization for a one-year extension for Access Permit No. **512059** per the request. This authorization will **expire on August 7, 2016**. If you do not proceed with construction prior to the above expiration date, **the permit will become null and void. No further extensions are available for this permit.**

Please note that once you start construction activities within the highway right-of-way the work must be **completed within 45 days, or alternatively, a proposed construction may be submitted**. You must contact **Robert Turner at (970) 382-9180** a minimum of two (2) working days prior to your anticipated construction date. All required improvements to the State Highway must be constructed and a final approval obtained from the Colorado Department of Transportation (CDOT) prior to use of the access.

The above-referenced permit includes the following requirements in the Access Permit Terms and Conditions Section of the permit:

The access shall be constructed in accordance with a set of approved design plans, two sets of which must be furnished to CDOT. When the final design plans, including, but not limited to material specifications and Certifications of Compliance, are accepted and approved, a **Notice To Proceed** will be issued that will allow construction to begin.

This authorization is hereby considered an attachment to the permit referenced above. **All terms and conditions of Permit No. 515059 remain valid**. Please have this authorization letter and your copies of the issued permit available for review at the construction site by CDOT personnel.

If you have any questions, please call me at (970) 385-8360.

Sincerely,

Jo Heinlein  
Assistant Access Manager  
Cc: Access File, Maintenance, Archuleta County Planning





551 Hot Springs Boulevard  
Post Office Box 1859  
Pagosa Springs, CO 81147  
Phone: 970.264.4151  
Fax: 970.264.4634

**PAGOSA SPRINGS SANITATION  
GENERAL IMPROVEMENT DISTRICT  
MEETING AGENDA  
TUESDAY, JANUARY 5, 2016  
Town Hall Council Chambers  
551 Hot Springs Blvd  
5:00 p.m.**

- I. **CALL MEETING TO ORDER**
- II. **APPROVAL of MEETING MINUTES FROM DECEMBER 17 & 22, 2015**
- III. **PUBLIC COMMENT – *Please sign in to make public comment***
- IV. **NEW BUSINESS**
  - 1. **Resolution 2016-01, Setting 2016 Fee Schedule**
- V. **OLD BUSINESS**
  - 1. **TOWN/PAWSD Pipeline Update**
- VI. **NEXT BOARD MEETING JANUARY 21, 2016 AT 5:00PM**
- VII. **ADJOURNMENT**



# AGENDA DOCUMENTATION

## **NEW BUSINESS:IV.1**

PAGOSA SPRINGS SANITATION DISTRICT BOARD

JANUARY 5, 2016

**FROM: GREGORY J SCHULTE, TOWN MANAGER**

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**PROJECT: RESOLUTION 2016-01, SETTING 2016 FEE SCHEDULE**

**ACTION: PUBLIC COMMENT, REVIEW AND POSSIBLE ACTION**

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### **PURPOSE/BACKGROUND**

The Town Council acting as the ex officio Sanitation Board of Directors establishes rules and regulations for operations of the District and provides for the establishment of fees for various sewer services fees. Resolution 2016-01 sets out all district fees for the Board's review and annual approval. There are no changes recommended for the 2016 year.

### **ATTACHMENT(S)**

Resolution 2016-01

### **RECOMMENDATION**

It is the recommendation of the Town Manager that the Sanitation District Board, by motion,

**Approve Resolution 2016-01, Setting Town Fees for District Sewer Services for 2016**



**PAGOSA SPRINGS SANITATION GENERAL IMPROVEMENT DISTRICT  
PAGOSA SPRINGS, COLORADO**

**RESOLUTION 2016-01**

**A RESOLUTION ADOPTING 2016 FEE SCHEDULE FOR THE PAGOSA  
SPRINGS GENERAL IMPROVEMENT DISTRICT**

**WHEREAS**, the Town Council, acting as the ex officio Board of Directors for the Pagosa Springs Sanitation General Improvement District (Sanitation GID Board), establishes rules and regulations for operations of the District and provides for the establishment of fees for various services; and

**WHEREAS**, the District adopted Rules and Regulations dated December 5, 2006, stating such regulations, rates, fees, tolls and charges, and the policies and procedures of the District (“Rules and Regulations”);

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF  
PAGOSA SPRINGS, COLORADO THAT:**

**SECTION 1 – Fee Schedule.** The Pagosa Springs Board incorporates the foregoing recitals as its conclusions, facts, determinations, and findings. The Board hereby approves the Fee Schedules for operations of the Pagosa Springs Sanitation General Improvement District.

**SECTION 2 – Severability.** If any part or provision of this Resolution is judged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board’s intention that the various provisions hereof are severable.

**SECTION 3 – Conflicting Acts.** All acts, orders, and resolutions, or parts thereof, of the Board, which are inconsistent or in conflict with this Resolution, are hereby repealed to the extent only of such inconsistency or conflict. All fees shall become effective on January 1, 2016, including any reservations taken in 2015 for 2016 events.

**SECTION 4 – Effective Date.** This Resolution, shall be effective immediately upon its passage, and shall be recorded in the official records of the Town kept for that purpose and shall be authenticated by the signatures of the Board President and the Secretary. A copy of the Fee Schedules will be available for inspection by the public at Town Hall during normal business hours.

ADOPTED THIS 5<sup>TH</sup> DAY OF JANUARY 2016, BY THE SANITATION GENERAL  
IMPROVEMENT DISTRICT BOARD BY A VOTE OF \_\_\_\_\_ IN FAVOR, \_\_\_\_\_ AGAINST.

By: \_\_\_\_\_  
Don Volger, Board President

ATTEST:

\_\_\_\_\_  
April Hessman, Secretary

**PAGOSA SPRINGS SANITATION DISTRICT FEE SCHEDULE**

Type of Fee	Code Section	Description	Amount	Last Date Adopted
<b>SANITATION DISTRICT FEES</b>				
Sewer Fees	Resolution 2010-02	Monthly	\$ 37.50 per EU	2010
Delinquency Charges	Resolution 2010-02	Monthly	\$15 or 5% per month	2010
Interest Annual Percentage Rate	Resolution 2010-02	Monthly	18%	2010
Plant Investment Fee	Resolution 2010-02	Per EU	\$4,400	2010
Connection Materials Fee			\$100/residential, others at actual cost	
Non-Sufficient Funds/Check Return			\$0	
Credit Card Transaction Fee			\$0	



# AGENDA DOCUMENTATION

## REPORTS TO BOARD:V.1

PAGOSA SPRINGS SANITATION BOARD OF DIRECTORS

JANUARY 5, 2016

FROM: GENE TAUTGES, SANITATION SUPERVISOR

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PROJECT: PAWSD/PIPELINE UPDATE REPORT

ACTION: DISCUSSION

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Start up and training for the compressors and automated valves should have occurred the week of 12/28/15. Staff is focusing on keeping the pump stations plowed and accessible for the clean water test at both stations scheduled for January 4<sup>th</sup>, 2016. The generator load test and automated transfer switch training and certification on 12/22/15 went smoothly with only minor issues identified. We are also waiting on the heating subcontractor to certify that system is operating as specified so the potable water supply will not be turned on until there is adequate heat in each building.

The official 7 day start up test has been delayed indefinitely until the ownership and maintenance issue has been resolved. The main list of things needing to be completed or have been completed as of this writing include the following:

1. Completion of the elimination of PAWSD pump station #18 into PS #2. Expected completion, early December. **Completed in mid-December**
2. Installation of the water meters and service to the pump stations. Expected completion, mid-December, weather permitting. **Completed in mid-December**
3. Final electrical conduit, wiring, and terminations at both stations. Expected completion, mid-December. Scheduled to be done the week of 12/28/15.
4. Installation of a complete and functioning SCADA system. The control and monitoring inside both pump stations is scheduled for January 4<sup>th</sup>. Radio path and antennae installation is still waiting for an easement and the PSSGID SCADA contractor to determine the best solutions.
5. Final grading and gravelling at both pump stations. Expected completion, mid-December, weather permitting. **Completed in mid-December**
6. Decommissioning of the old lagoons. This task will be delayed until the ownership and maintenance issue is resolved and will likely be later this spring.

Respectfully submitted,  
Gene Tautges  
Sanitation Supervisor