



TOWN OF ELIZABETH

**TOWN OF ELIZABETH
BOARD OF TRUSTEES REGULAR MEETING
Tuesday, October 24, 2023 at 7:00 PM
Town Hall, 151 S. Banner Street**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

UNSCHEDULED PUBLIC COMMENT

This is a meeting of the Board of Trustees held in public. We welcome you here and thank you for your time and concerns. When you are recognized, please stand, state your name, and then address the Board. Your comments will be limited to 3 minutes. The Board of Trustees may not respond to your comments during this meeting, rather they may take your comments and suggestions under advisement and your questions will be directed to the appropriate person or department for follow-up. Personal attacks against Board Members, Administrative Staff or Employees will not be recognized. Thank You.

AGENDA CHANGES

CONSENT AGENDA

1. Minutes of the Regular Meeting of October 10, 2023

PRESENTATION

2. Wreathes Across America – Gayle Gardner

NEW BUSINESS

3. Discussion and possible action regarding the Board of Trustee Appointment of Marianne Mayer Opl for a term through 11/5/2024 – Michelle Oeser
4. Discussion and possible action on Resolution 23R36, a Resolution on Snow Route Parking Regulations – Patrick Davidson / Mike DeVol
5. Discussion and possible action on Resolution 23R39, a Resolution adopting the email usage and retention policy for the Town of Elizabeth – Harmony Malakowski

PUBLIC HEARING

6. Ordinance 23-08. An Ordinance of the Town of Elizabeth, Colorado, amending the Elizabeth Municipal Code to provide for the imposition, computation and payment of a police impact fee, a public building impact fee, a parks, open space and rails impact fee, and a public works impact

**ACTION MAY BE TAKEN ON ANY AND ALL ITEMS LISTED ON THE AGENDA
ACCOMMODATIONS FOR DISABILITIES MAY BE MADE UPON REQUEST.**

fee on all future residential and non-residential development; providing authority, intent and definitions; providing for the establishment of separate impact fee funds for such fees; providing for exemptions, refunds, credits and waivers respecting such impact fees; providing general provisions applicability and appeals; and providing for severability

NEW BUSINESS

7. Discussion and possible action on Ordinance 23-08. An Ordinance of the Town of Elizabeth, Colorado, amending the Elizabeth Municipal Code to provide for the imposition, computation and payment of a police impact fee, a public building impact fee, a parks, open space and rails impact fee, and a public works impact fee on all future residential and non-residential development; providing authority, intent and definitions; providing for the establishment of separate impact fee funds for such fees; providing for exemptions, refunds, credits and waivers respecting such impact fees; providing general provisions applicability and appeals; and providing for severability – Patrick Davidson

MANAGEMENT MONITORING REPORTS

- [8.](#) Managers Reports

STUDENT LIAISON REPORT

9. Shaye Lovato Student Liaison Report

BOARD OF TRUSTEES REPORTS

10. Board Reports

MINUTES

- [11.](#) Minutes of the Main Street Advisory Board Minutes of September 11, 2023

ADJOURNMENT

MEETING PROTOCOL AND STANDARDS OF CONDUCT

Public Participation

Public comment is encouraged and will be listed as an agenda item at every regular Board meeting.

Each individual wishing to be heard during the public comment period will be given up to three (3) minutes to make a comment.

The public comment period will not be used to make political endorsements or for political campaign purposes.

Questions from the Board will be for clarification purposes only. Public comment will not be used as a time for problem solving or reacting to comments made but, rather, for listening to the comments of citizens without taking any formal action.

The Board may direct the Town Administrator to provide information requested by a speaker during the public comment period.

Speakers are not allowed to make belligerent, accusatory, impertinent, slanderous, threatening, abusive, or disparaging comments.

The Mayor may elect to defer public comment on a specific issue that appears on the regular agenda until that specific item is addressed.

The Mayor may call for order when sidebar conversations occur in the audience. Those conversations are distracting from the Board addressing the topics at hand.

Members of the public who do not follow proper conduct after a warning in a public meeting may be barred from further participation at that meeting or removed from the Board Chambers pursuant to the Elizabeth Municipal Code and Colorado Revised Statutes.



Board of Trustees – Record of Proceedings

October 10, 2023

CALL TO ORDER

The Regular Meeting of the Board of Trustees of the Town of Elizabeth was called to order on Tuesday, October 10, 2023, at 7:00 p.m. by Mayor Nick Snively.

ROLL CALL

Present were Mayor Nick Snively, Mayor Pro Tem Linda Secrist, Trustees Loren Einspahr, Tammy Payne, and Barb McGinn. Trustee Joe Belongia was absent. There was a quorum to do business.

Also present were Town Administrator Patrick Davidson, Town Clerk Michelle Oeser, Public Works Director Mike DeVol, Chief of Police Jeff Engel, Community Development Director Zach Higgins, and Assistant Public Works Director James McErnie.

PLEDGE OF ALLEGIANCE

Mayor Snively led the Board in the Pledge of Allegiance.

UNSCHEDULED PUBLIC COMMENT

Paul Schwarzkopf – Town of Elizabeth Resident

AGENDA CHANGES

No agenda changes from the Administration.

No agenda changes from the Board.

Agenda set.

CONSENT AGENDA

1. Minutes of the Regular Meeting of September 26, 2023

Motion by Trustee Einspahr, seconded by Trustee Payne, to accept the Consent Agenda as presented.

The vote of those Trustees present was 5 in favor and 0 opposed. Trustee Belongia was absent. Motion passed unanimously.

PRESENTATIONS

2. Aimee Woodall



Mayor Snively thanked Aimee Woodall for her dedication and the expertise she provided in applying to preserve the Bank Building. Mayor Snively presented Ms. Woodall with a photo print of the bank provided by Jeff Struthers.

3. Domestic Violence Awareness Month

Mayor Snively combined a presentation and proclamation recognizing Domestic Violence Awareness Month. Mandy Donatelli and PattyAnn Fontenot gave a presentation and provided purple ribbons to the Board and Staff.

NEW BUSINESS

4. Discussion and possible action on Resolution 23R35, a Resolution adopting a memorandum of understanding between East Central Council of Governments (ECCOG) and the Town of Elizabeth

Motion by Trustee McGinn, seconded by Mayor Pro Tem Secrist, to approve Resolution 23R35, a Resolution adopting a memorandum of understanding between East Central Council of Governments (ECCOG) and the Town of Elizabeth.

The vote of those Trustees present was 5 in favor and 0 opposed. Trustee Belongia was absent. Motion passed unanimously.

5. Discussion regarding Maverix fiber internet proposal

Mr. Higgins introduced Dave Lindauer and Tyler Bartholomew.

The Board directed Staff to move forward with a contract for services.

6. Discussion and possible action on Resolution 23R36, a Resolution amending the water and wastewater base and consumption rates in the Town of Elizabeth

Mayor Snively tabled Resolution 23R36 until a full Board is seated.

7. Discussion and possible action on resolution 23R37, a Resolution amending the Water and Sewer Tap Fees and the Renewable Water Resource Fee in the Town of Elizabeth

Motion by Trustee McGinn, seconded by Trustee Payne, to approve Resolution 23R37, a Resolution amending the Water and Sewer Tap Fees and the Renewable Water Resource Fee in the Town of Elizabeth.

The vote of those Trustees present was 5 in favor and 0 opposed. Trustee Belongia was absent. Motion passed unanimously.



8. Discussion and possible action on Resolution 23R38, a Resolution approving an Intergovernmental Agreement regarding Water and Wastewater Services between the Town of Elizabeth and the Elizabeth School District

Motion by Trustee Payen, seconded, by Trustee Einspahr, to approve Resolution 23R38, a Resolution approving an Intergovernmental Agreement regarding Water and Wastewater Services between the Town of Elizabeth and the Elizabeth School District.

The vote of those Trustees present was 5 in favor and 0 opposed. Trustee Belongia was absent. Motion passed unanimously.

MANAGEMENT MONITORING REPORTS

- Town Administrator Patrick Davidson informed the Board that Elizabeth West's disconnection was finalized in District Court and is no longer in the Town.
- Police Chief Jeff Engel
 - Officer Daisy Tucker completed training with the 18th Judicial District Attorney Office.
 - Corporal Jason Rogers completed a 2-day ballistics shield training and will in turn train other Officers.
 - Corporal Alex Allen will be participating in training on Leadership in a Police Organization.
 - The Police Department building passed the fire inspection.
 - The Homecoming Parade was a great success.
 - October 3rd the Student Academy toured the Elbert County Jail.
 - The Police Department application process period is closing. Two applications have been received. Discussion followed regarding a Board member participating on an interview Board.
 - Discussion on the status of the and hit run on the Town's electronic sign.
- Community Development Director Zach Higgins
 - The Revitalizing Main Street Grant application has been submitted.
 - Zach gave a huge thank you to Public Works and the Police Department for all of their help with Town Events.
 - Discussion on the Walk and Talk.
 - Staff are working to solidify event dates for 2024.
 - About 380 people attended the Wine in the Pines Event.
- Public Works Director Mike DeVol



- The new lift station has been up and running since Monday.
- Trustee Einspahr discussed issues with a driveway due to the street paving project.
- Town Clerk Michelle Oeser
 - Discussed the upcoming Harvest Festival and the Board's Booth.
 - Trustee Einspahr thanked Ms. Oeser for her work on the Birthday Bash.
- Chief Engel informed the Board that the Student Academy's Graduation would be held on November 29th, at 5:00 pm. The event will be held at Elizabeth High School.

STUDENT LIAISON REPORT

- Student Liaison Shaye Lavato
 - Students are having fun and keeping busy.
 - Ms. Lovato went through her written report that was provided in the Board packet.
 - Ms. Lovato stated that school spirit is high.

BOARD OF TRUSTEE REPORTS

- Trustee McGinn is sorry she missed all the recent Town Events.
- Trustee McGinn discussed the Eagle's Nest Ranch Fall Festival.
- Trustee Einspahr discussed the Town's Movie Night.
- Trustee Einspahr discussed the Wine in the Pines Event.
- Trustee Payne discussed the Senior Project.
- Mayor Snively wished Trustee Payne a Happy Birthday.
- Ms. Oeser let the Board know that Public Works saved a CIRSA Training course from being cancelled.
- Mayor Snively discussed where Town Christmas Ornaments could be purchased.
- Mayor Snively asked about how the new cluster boxes are going.

MINUTES

13. Minutes of the Regular Meeting of the Historic Advisory Board of September 11, 2023

ADJOURNMENT

Motion by Trustee Einspahr, seconded by Mayor Pro Tem Secrist, to adjourn the meeting at 8:41 p.m.

The vote of those Trustees present was unanimously in favor. Motion carried.



TOWN OF ELIZABETH

Town Clerk Michelle Oeser

Mayor Nick Snively



WREATHS ACROSS AMERICA
IS COMING TO ELBERT COUNTY AND WREATH
SPONSORSHIPS ARE NEEDED NOW!

DEADLINE IS NOVEMBER 28, 2023 FOR WREATH SPONSORSHIPS
TO BE INCLUDED IN THE 2023 DELIVERY

SPONSOR A WREATH: USE THIS QR CODE OR LINK TO SPONSOR
WREATHS AT THE ELIZABETH CEMETERY OR THE QUEEN OF HEAVEN
CEMETERY IN KIOWA. (THERE ARE 189 VETS AT ELIZABETH AND 26
VETS AT QUEEN OF HEAVEN)

LAY A WREATH: VOLUNTEER AT THE WREATH LAYING
CEREMONIES ON DECEMBER 16, 2023 AT 10 AM (ELIZABETH
CEMETERY) AND 2 PM (QUEEN OF HEAVEN CEMETERY) IN
KIOWA (CR 33) TO PLACE WREATHS ON VETERANS' GRAVES

Help Running Creek Chapter, NSDAR sponsor
and lay wreaths on EVERY Veteran's grave!



To sponsor a wreath, scan the QR code or visit
www.wreathscrossamerica.org/CO0286P

Wreath sponsorships
are \$17/ea



For more info: contact
gtdavis57@msn.com
303-520-2080





TOWN OF ELIZABETH

OFFICE OF THE TOWN CLERK

TO: Honorable Mayor and Board of Trustees
FROM: Michelle M. Oeser, Town Clerk
DATE: October 16, 2023
SUBJECT: Board Application

SUMMARY:

On October 9, 2023, the Clerk received an application from Marianne Mayer Opl for the currently open board seat. The application period ended at 3:00 p.m. on Friday October 13th. No other applications were received by the Clerk. The Clerk provided the application to the Board on October 13th as well as notified the applicant that this would come before the Board on October 24th.

The term of this seat will run through November 5, 2024.

RECOMMENDATION:

Staff do not have a recommendation on this item.

**APPLICATION FOR APPOINTMENT TO THE TOWN OF ELIZABETH
BOARD OF TRUSTEES**

Name: Marianne Mayer Opl

Physical Address: [REDACTED], Elizabeth, Colorado 80107*

Mailing Address: Same (if different than physical address)

Telephone Number: [REDACTED]

Email Address: [REDACTED]

Preferred Method of Contact: Email Telephone _____ Other _____

Years of Residency in the Town of Elizabeth: 1.5

Are you registered to vote in Elbert County, Colorado? Yes No__

Number of Board of Trustee Meetings Attended in Last Six (6) Months? 9 or 10

Number of Public Meetings (any type) Attended in Last Six (6) Months? 4

Place of Employment: Computershare (For conflicts of interest only).

Did you vote in the Town's most recent election? Yes No__

Please attach your resume or curriculum vitae to this application.

*Note – An Elizabeth mailing address does not necessarily mean you reside in the jurisdictional boundaries of the Town of Elizabeth. If you are unsure if you are a Town resident, please call the Elizabeth Town Clerk to verify.

Please respond to the following questions. Feel free to attach additional pages as may be necessary.

1. Have you ever held an elected office? If so, please provide the location, length of service, and any positions held:

No

2. Past and Present memberships on a Board, Committee, or Task Force in the public sector (business, civic, community, religious, political, professional, recreational or social). Please provide the name of the organization, role/title/position, and dates of service. **I have served as Marketing Director for the Denver SQL Server Women in Tech and I have also served on the Habitat Women's Build Board as well and Computershare North American Women for Women Board.**
3. Please list all other volunteer experiences. **I have volunteered at the Colorado Tech Assoc functions, S.T.E.M events for high schoolers, Habitat for Humanity, Colorado Code Camp, Computershare Christmas drive for the homeless and many other various charities.**
4. What do you consider the two (2) most important challenges facing the Town of Elizabeth in the next few years? What do you think should be done? **First would be to ensure that we have good schools and infrastructure for our community. We need to ensure that our local business can thrive. Second would be smart growth. From what I have observed and heard, the people of this town love our community and wish to keep it rural. We will have growth here however and we need to make sure that we don't threaten the community's wish to keep things rural. Additionally, there is great concern regarding the amount of water and the traffic that growth can bring if not done properly. The challenge will be to keep our town safe, going strong and to continue growing but keeping our rural roots intact.**
5. What is something you would like to change about the operations of the Town of Elizabeth, and how would you change that item? **Not any fault of the town, but we do have many people who do not attend the meetings, nor read the meeting notes,**

but get their info from social media and from friends. I would like to see more board information on social media sites so that the information comes from the board and not from rumor mills. By being proactive, we can stop rumors in advance and hopefully keep people calm as change occurs.

6. Please list any skills or expertise, if selected, you would bring to the Board of Trustees?
- 1) **Problem Solving Skills -I have been trained to identify problems and devise effective solutions.**
 - 2) **Analytical Thinking -I am adept and analyzing complex situations, breaking them down into manageable parts, and making data-driven decision. An analytical mindset can aid in making strategic decisions.**
 - 3) **Project Management – I have worked on many projects and I am familiar with working with time lines, resources and budget constraints.**
 - 4) **Communication Skills – I frequently collaborate with diverse teams, clients, and stakeholders in my day-to-day work. Strong communication skills, both verbal and written, are essential for conveying complex technical concepts to non-technical stakeholders, fostering understanding and alignment.**
 - 5) **Teamwork and Collaboration –In my day-to-day work, my projects often require teamwork and collaboration. My experience working in teams can contribute to a positive board dynamic, encouraging collaboration and effective teamwork among board members.**
 - 6) **Adaptability -I am frequently ask to make changes quickly and adapt to new requirements**
7. What papers, documents, websites, or other information did you review in anticipation of submitting this application to the Board of Trustees? **I do get my information from many news sources for example Prairie Times, and not just from social media. I look at the Elbert County websites in addition to news articles and the Town’s website to stay up to date with the news.**

8. Why do you want to serve on the Board of Trustees for the Town of Elizabeth?

I believe in the power of active civic engagement to make a positive impact. Serving on the Board of Trustees is not just a responsibility for me; it's a heartfelt obligation to contribute meaningfully to the town that I call home and to its citizens.

I am inspired by the Town of Elizabeth's rich history, its growing population, and the shared sense of pride that binds us together. I am eager to work alongside fellow members of our community and local leaders to ensure that our town continues to thrive while preserving the qualities that make our town so special.

9. If you are appointed to the Board of Trustees, are you willing to run for the position again?

Why or why not? **I believe that everyone should contribute their time and gifts to make their community better, so yes, I would be willing to run for the position again.**

10. Do you have any experience in accounting, reviewing budgets, bookkeeping or related fields? Please explain. **Back in the 90s, I was tasked with daily financial reports of monies taken in and not only counted the money and completed the reports but also took care of the bank deposits.**

11. An appointment to the Board of Trustees requires several orientation meetings with Department Heads and the Town Administration, preparing for bi-monthly Board Meetings, attendance at bi-monthly Board meetings, meeting with residents and citizens, occasional Saturday workshops, attendance at Town Events, and other official duties. Are you able and willing to devote the necessary time to the position? **Yes**

12. Please provide any additional information that you believe is valuable for the Board in making its decision for your potential appointment to the Board of Trustees. **I have attended some Smart Growth for Elizabeth meetings so I am aware of their concerns as well as many other members of the community. I am also active in the Ladies of Elizabeth and in a short time have made many acquaintances and friends in Elizabeth and have heard people's concerns and what they like and don't like.**

13. Are you aware of any conflicts of interest – perceived or actual – that would require you to recuse yourself from participating in certain actions by the Board of Trustees? **No**

Marianne Mayer Opl _____
Signature

By submitting this application, you acknowledge that the role of Trustee requires active participation in the political process. If selected as Trustee, you acknowledge you will meet the obligations required of you under the Town Code, Colorado Law, and the Town of Elizabeth Code of Conduct for Elected Officials

PROFILE

I am a dedicated seasoned professional with track record of distinguished performance with proven leadership in information technology, customer relationships, and outstanding management experience. I am skilled in linking operational and financial activities to mission, vision, values, and guiding principles as well as skilled in creative problem solving.

PROFESSIONAL SKILLS

- Pega Developer
- Quandis Developer
- Certified Oracle System Specialist
- SQL, PL/SQL, SQL+, T-SQL, Microsoft Office-Word, Excel and Access, SharePoint, PowerPoint, E-Discovery
- Formal training in database concepts, data modeling and relational database design, Oracle 8i database architecture, Oracle 8i database administration, SQL Server 2005, 2008, 2012, 2014 and SQL Server Reporting Services (SSRS) 2008.
- Strong performer under pressure and time constraints, understanding and meeting project schedules
- Excellent analytical, problem solving, presentation, communication and interpersonal skills

WORK EXPERIENCE

Computershare- Highlands Ranch, CO

Pega BPM and Quandis BPM Developer, April 10, 2017-Present

- Update and/or develop for existing Pega cases, decision tables, data transformers, new properties, sections, flows, errored workbasket cases, activities, broken flow cases, creating new class structures, create or update reports as well as admin work such as updating the calendar in Pega for 2023 business dates and documenting new and existing processes.
- Collaborate with Project Owners, SMEs and business owners to capture the request, develop, deploy and then demo new code/solutions for the business owners and management.
- Support the software development lifecycle, including requirements gathering, design review, specifications, development, change management, unit testing, QA testing, UAT testing and deployment activities.
- North American Board of Directors for Computershare's Women 4 Women Network
- Created internal events to encourage more people to learn about various IT skills and careers inside of the company as well as mentor people.
- Created cyber security training events to train fellow employees
- Assisted with activities such as moving code and testing in the new environment during the Pega Upgrade from 7.2 to 8.8
- Analyzed and fixed thousands of broken cases that were years old and identified the root causes. Documented the various error messages and created a daily process to address that could be handled by our support team.

Specialized Loan Servicing (A Computershare Company)- Highlands Ranch, CO

Database Reporting Analyst, Sept 28, 2015 to April 7, 2017

- Create ad-hoc and reoccurring reports for Senior Management.
- Created training program and trained staff members on how to create and execute a simple T-SQL queries.
- Member of the Diversity panel providing management with insight as to ways to foster diversity at work.

Catalyst Repository Systems- Denver, CO

Application Support Technician/Technology Advisor, July 5, 2010 to Sept 25, 2015

- Exporting/importing data into and out of SQL Server databases and MarkLogic No SQL databases for eDiscovery software using various methods such as DTS, FileZilla, Dir dumps.
- Creation of indexes, tables, stored procedures, reports and scripts as well as cleansing, manipulation and updating data.
- Troubleshoot technical issue and resolve database and application issues for clients as well as QA testing.
- Recognized on many occasions and rewarded financially for top performance in quantity and quality of work-request completions.

TQ3 Navigant/Carlson Wagonlit, Englewood, CO

AQUA System Administrator/Associate Business Analyst Jan 23, 2006-May 8, 2009

- AQUA System Administration utilizing Sabre, Apollo, Worldspan, Amadeus global reservation distribution systems on SQL Server 2005 and 2008 databases.
- Documented complex programming requests and developed IT solutions based upon client's requirements.
- Analyzed diagnostic files for errors and resolved discrepancies.
- Consult with clients to identify and gather technology business requirements for setting up client's corporate travel site.

EDUCATION

- Certificate in Computer Information Systems-Oracle Systems Specialist
Community College of Denver, Denver, CO
- MCTS-SQL (Microsoft Certified Technology Specialist-SQL) and MCITP-DBA (Microsoft Certified IT Professional-SQL DBA) courses at LeaderQuest, Englewood, CO
- SSRS 2008-Pragmatic Works, FL
- College of DuPage, Glen Ellyn, IL
- Certified SAFe 5 Practitioner-Scaled Agile May 2021 – May 2022
- Project Fundamentals ATP Bootcamp (PMBOK Guide Sixth Edition)-Skillsoft Oct 2021
- Project Fundamentals (PMBOK Guide Sixth Edition)-Skillsoft Feb 2021
- New Project Manager Essentials – Skillsoft July 2020
- Azure Fundamentals: Cloud Computing-Skillsoft Sept. 2020

PROFESSIONAL ORGANIZATION

Current:

- Colorado Technology Association
- Computershare Women 4 Women Network
- Computershare Women in Technology
- Computershare Mentoring Program as a mentor
- Computershare Cyber Security Champion

Past:

- Denver SQL Server User Group
- Professional Association for SQL Server (PASS)
- Professional Association for SQL Server, Women in Technology Denver Chapter -Founding Board Member - Director of Marketing



TOWN OF ELIZABETH

PATRICK G. DAVIDSON, TOWN ADMINISTRATOR

TO: Honorable Mayor, Mayor Pro Tem, and Board of Trustees
FROM: Mike Devol, Public Works Director
DATED: October 24, 2023
SUBJECT: Resolution 07R020 Snow Route "NO PARKING" Amendment

BACKGROUND

This Memorandum seeks approval for an amendment to the existing Snow Routes "NO PARKING" code that was approved and adopted by Resolution 07R020 (Exhibit A) by the Town Board of Trustees on October 23, 2007. The "Exhibit B" Town of Elizabeth Code Article V Snow Routes Sec. 11-5-10, 11-5-20, 11-5-30, 11-5-40, and 11-5-50 cover the entirety of the snow route code. One of the main focuses are on the Safety and Welfare of our citizens, emergency responders, bus routes, school traffic and commuters.

At this time, Public Works is seeking approval by amendment to extend the list of streets currently existing to enhance plowing and snow removal capabilities.

STAFF RECOMMENDATION

Staff recommends approval of Resolution 23R36 allowing Public Works to more efficiently remove snow during storm events and enhance the Safety and Welfare of all citizens.

BUDGET CONSIDERATIONS

Currently Public Works has a remaining budget in Streets ROW Maintenance Code# 21-49-5800 of \$71,850.00 of which approximately \$23,000.00 would be used for 80 signs, posts, and labor for installation.

ATTACHMENTS

- Attachment A - Resolution 07R020
- Attachment B – Town Code V 11-5-10 through 11-5-50
- Attachment C – Existing Snow Route Sign Placement Map
- Attachment D – Amended Snow Route Sign Placement Map Additions
Gold Creek Valley/Ritiro Filing 1,2,3 and Legacy Village
- Attachment E – Amended Resolution 23R36

Resolution 07R020

RESOLUTION 07R020

A RESOLUTION DESIGNATING "NO PARKING" ZONES IN THE TOWN OF ELIZABETH FROM NOVEMBER 1ST TO MAY 1ST OF EACH YEAR.

WHEREAS, the Board of Trustees for the Town of Elizabeth wants to ensure that streets are passable to vehicular traffic during periods of snow;

WHEREAS, the Board of Trustees for the Town of Elizabeth determines that certain sections of streets should be clear of parked vehicles for the months when it is most likely to snow;

WHEREAS, it is the intent of the Board of Trustees to ensure that street snow removal operations are efficient;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

Section 1. The Board of Trustees declares the following sections of streets and roads in the Town of Elizabeth as "No Parking" zones from November 1 to May 1 each year:

Any Cul-de-sac or Hammer Head portion of any street in the Town of Elizabeth

Evans Street - East Side
Rudmore Street - North Side
Liberty Street - West Side
Lincoln Street - South Side
Zane Court - West Side
Lionel Lane (South of Logan) - East Side
Lionel Lane (North of Logan) - West Side
Chelsea Court - North Side
Amanda Court - West Side
Logan Street - North Side
Banner Street - East Side
Mobile Street - East Side
Pearl Street - East Side

PASSED, APPROVED, and ADOPTED this 23rd day of October, 2007, by the Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of 6 for and 0 against.

ATTEST

Serena Brooks
Serena Brooks, Town Clerk



John Eiferforst
John Eiferforst, Mayor

B

ARTICLE V

Snow Routes

Sec. 11-5-10. Definitions.

As used in this Article, the following terms shall have the following meanings unless the context indicates otherwise:

Street or highway means the entire width between the boundary lines of every way publicly maintained and open to the use of the public, as a matter of right, for the purpose of vehicular travel. (Ord. 07-14 §1)

Sec. 11-5-20. Designation of snow routes.

No on-street parking from November 1 to May 1 shall be allowed on any street or highway, or portion of a street or highway, as designated by resolution of the Board of Trustees. Such designation of snow routes shall be identified by appropriate and visible signage providing that the designated snow routes are no parking areas. (Ord. 07-14 §1)

Sec. 11-5-30. Enforcement.

(a) Any peace officer of the Town may issue a citation for any violation of Section 11-5-20 above.

(b) Any peace officer of the Town may also order the removal of any vehicle which is in violation of Section 11-5-20 and for which a citation has been issued prior pursuant to Subsection (a) of this Section. The vehicle shall be removed, at the owner's expense, to the nearest place where, in the judgment of the director or the peace officer, the vehicle will not obstruct a snow route. (Ord. 07-14 §1)

Sec. 11-5-40. No liability.

The Town shall not be liable, and no officer, employee or agent of the Town shall be liable, for any damages resulting from any act or omission

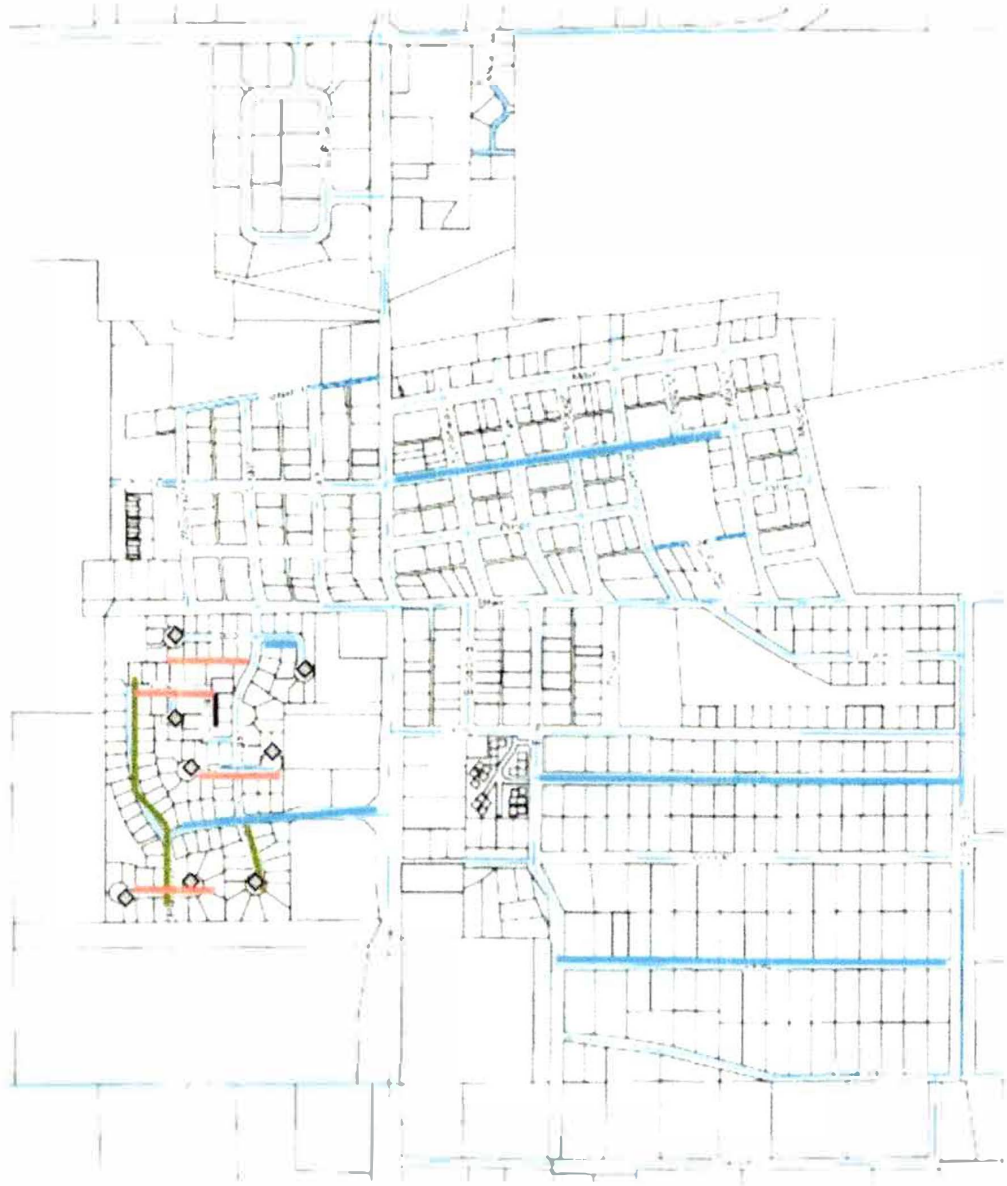
in any way connected with the removal of a vehicle pursuant to this Article. (Ord. 07-14 §1)

Sec. 11-5-50. Violation; penalty.

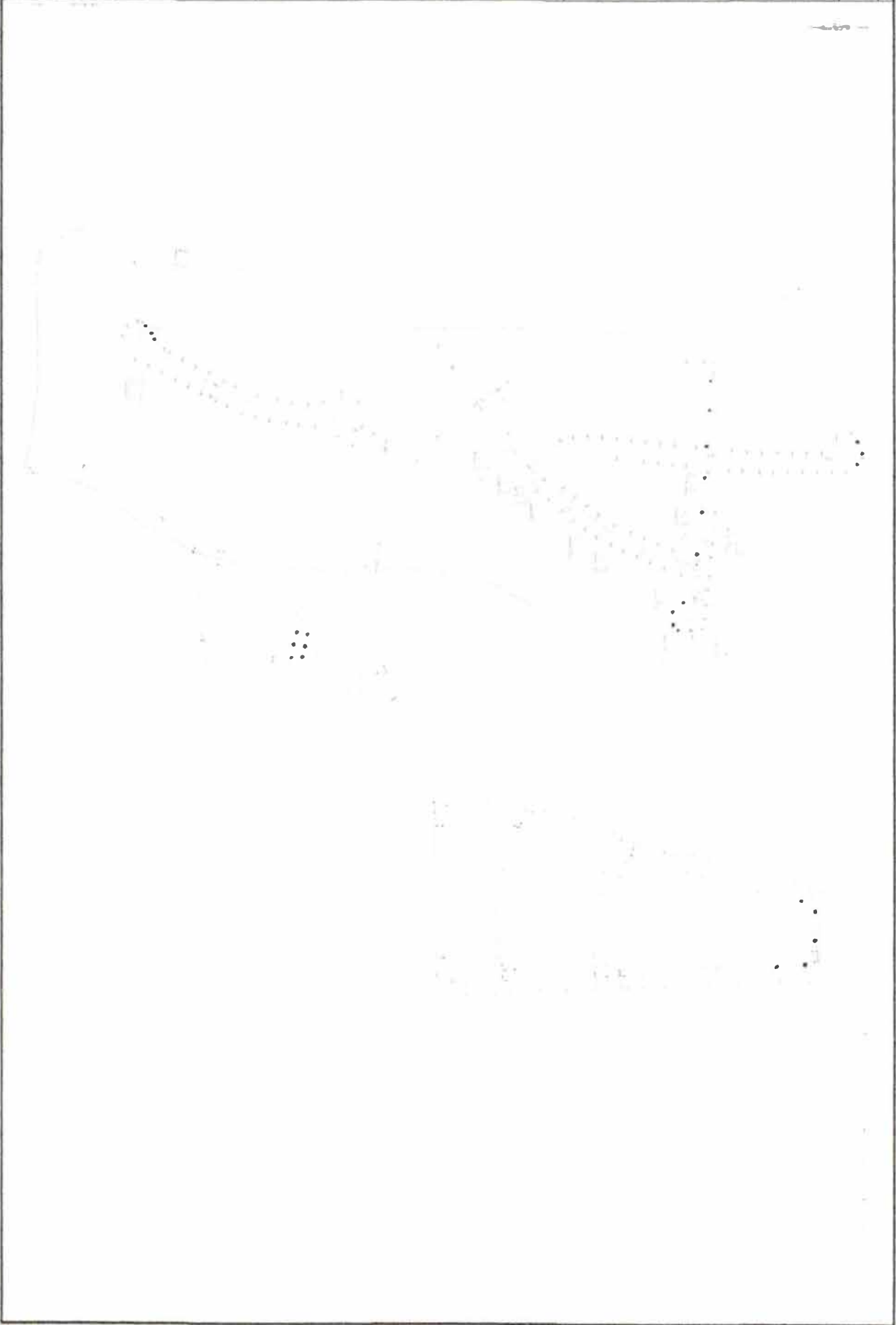
(a) Violations of this Article shall be punishable as set forth in Section 1-4-20 of this Code.

(b) Each day or portion of a day such violation continues shall be considered a separate offense. (Ord. 07-14 §1)

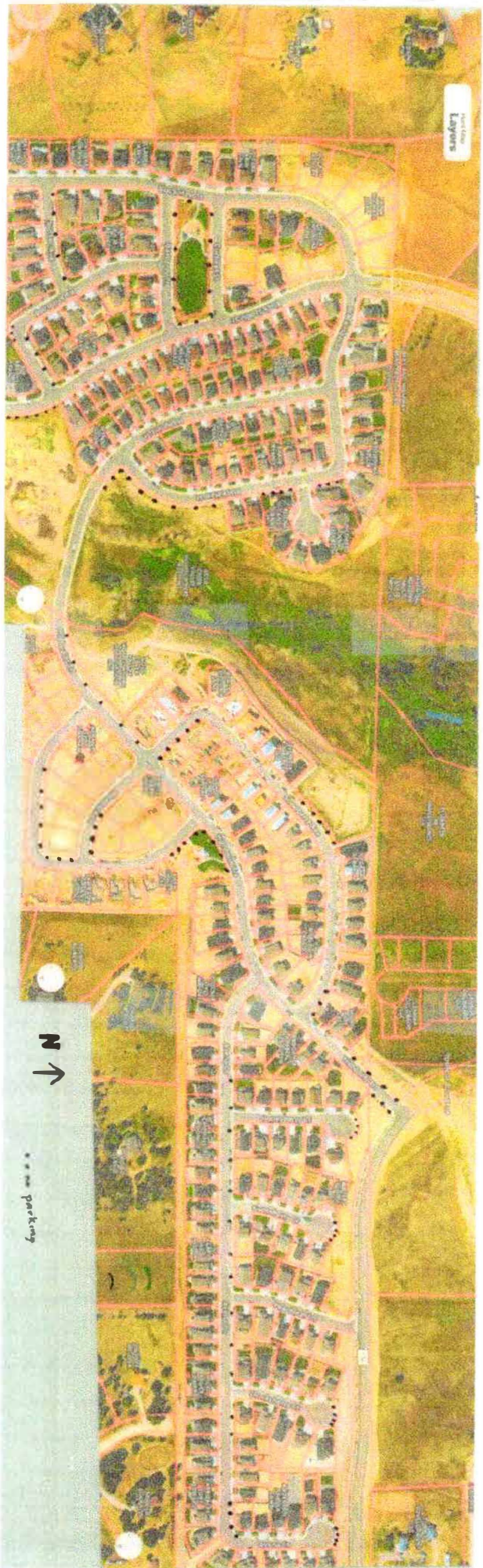
Snow Route Sign Placement



- Green = North side
- Red = West side
- Blue = East side
- Black = South side
- = Cul-de-sac/Hammer head



U



RESOLUTION 23R 36

A RESOLUTION TO AMEND AND DESIGNATE “NO PARKING” ZONES IN THE TOWN OF ELIZABETH FROM NOVEMBER 1ST TO MAY 1ST OF EACH YEAR.

WHEREAS, Article V, Section 11-5-10 of the Town Municipal Code authorizes the Board of Trustees for the Town of Elizabeth to ensure that streets are passable to vehicular traffic during periods of snow;

WHEREAS, Article V Section 11-5-20 of the Town Municipal Code authorizes the Board of Trustees for the Town of Elizabeth to determine that certain sections of streets should be clear of parked vehicles, trailers, and equipment for the months when it is most likely to snow;

WHEREAS, the Board of Trustees previously approved Resolution 07R020 to designate “No Parking” zones in the Town of Elizabeth; and

WHEREAS, with the development and completion of the Gold Creek Subdivision, it becomes necessary to designate additional “No Parking” zones for the health, safety, and welfare of the public.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

SECTION 1. The Board of Trustees declares the following sections of streets and roads in the Town of Elizabeth as “NO PARKING” zones from November 1st to May 1st of each calendar year as follows:

Any Cul-de-sac, end portion of Cul-de-sac or Hammer Head Portion of any street in the Town of Elizabeth; and

- | | |
|--|--|
| Evans Street—East Side | Gooseberry Court—Cul-de-sac |
| Rushmore Street—North Side | Honeyberry Court—Cul-de-sac |
| Liberty Street—West Side | High Point Trail—Both Sides |
| Lincoln Street—South Side | Snowberry Avenue—Both Sides |
| Zane Court—West Side | Horsetail Loop—North Side |
| Lionel Lane (South of Logan)—East Side | Ninebark Lane—North Side |
| Lionel Lane (North of Logan)—West Side | Blackhaw Street—East Side |
| Chelsea Court—North Side | Black Saddle Street—East Side |
| Amanda Court—West Side | Barberry Trail—North Side |
| Logan Street—North Side | Curleaf Street—South Side |
| Banner Street—East Side | Rockhill Loop—North Side |
| Mobile Street—East Side | Sumac Avenue—North Side |
| Pearl Street—East Side | Yankee Boy Loop – South End Around Park |
| Avena Court—Cul-de-sac | Kolz Point – Center Median Area |
| Avena Drive—North Side | Paloma Way – Cul-de-sac |
| Chokecherry Court—Cul-de-sac | Thinleaf Court – North Side and Cul-de-sac |

Mosquito Court – South Side Cul-de-sac

PASSED, APPROVED, and ADOPTED this 24th day of October 2023, by the Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of _____ for and _____ against.

Nick Snively, Mayor

ATTEST:

Michelle M. Oeser, Town Clerk



TOWN OF ELIZABETH

OFFICE OF THE TOWN CLERK

TO: Honorable Mayor and Board of Trustees
FROM: Harmony Malakowski, Deputy Town Clerk
DATE: October 24, 2023
SUBJECT: Email Usage and Retention Policy

SUMMARY:

Resolution 23R39 is a resolution approving a policy for Email Usage and Retention.

As part of ongoing efforts to clean up and standardize Town Records, this policy was drafted to establish standards for the Town's email system and for retention and destruction of email in compliance with the requirements of the Colorado Municipal Records Retention Schedule. The goal is to establish a framework for the use of emails as a communications tool and maintenance requirements of email, if necessary.

RECOMMENDATION:

Staff recommends approval of Resolution 23R39, a Resolution Approving the Town of Elizabeth Email Usage and Retention Policy.

ATTACHMENTS:

Resolution 23R39
Email Usage and Retention Policy

RESOLUTION 23R39

A RESOLUTION ADOPTING THE EMAIL USEAGE AND RETENATION POLICY FOR THE TOWN OF ELIZABETH

WHEREAS the Board of Trustees previously approved Resolution 03R10 to adopt the Colorado Municipal Records Retention Schedule (CMRRS) and otherwise confirm the Town's adherence to the Colorado Open Records Act (CORA); and

WHEREAS, pursuant to Colorado Revised Statutes §24-72-203 allows the Town's Custodian of Records to formulate rules and regulations related to public records; and

WHEREAS the Town of Elizabeth's Custodian of Records acknowledges that electronic mail (email) may constitute records subject to retention under the Town's Record Retention Schedule and/or public records subject to public inspection.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

SECTION 1. The Board of Trustees seeks to ratify and adopt the Email Usage and Retention Policy promulgated by the Town's Custodian of Records in accordance with Elizabeth Town Resolution 03R10 and the Colorado Open Records Act.

PASSED, APPROVED, and ADOPTED this 24th day of October 2023, by the Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of _____ for and _____ against.

Nick Snively, Mayor

ATTEST:

Michelle M. Oeser, Town Clerk



Email Usage and Retention Policy

V01

Town of Elizabeth
Clerk's Office
Created August 2023

PURPOSE:

To establish standards for the Town’s email system and for retention and destruction of email in compliance with the requirements of the Colorado Municipal Records Retention Schedule (CMRRS) which the Town Board of Trustees adopted by Resolution 03R10 on November 25th, 2003, and the Colorado Open Records Act (CORA). This policy establishes guidelines that will promote the effective capture, management, and retention of email. This policy is not intended to discourage the use of email to conduct Town business. The goal is to establish a framework for the use of email as a communications tool and maintenance requirements of email, if necessary.

AUTHORITY:

Pursuant to C.R.S. § 24-72-203, the Custodian of Records may formulate rules and regulations related to public records. The Town’s Custodian of Records acknowledges that electronic mail (email) may constitute records subject to retention under the Town’s records retention schedule and/or public records subject to public inspection.

SCOPE:

This policy establishes the policies and procedures that govern Town Officials’ and Town Employees’ use of email with the Town of Elizabeth. This policy applies whether Town-owned or other equipment is used to access the Town email system. This policy is subject to any litigation and/or legal hold requests and requirements.

DEFINITIONS:

Custodian of Records – The Town Clerk or other Town Employee designated as such under the supervision of the Town Clerk.

Electronic Mail or Email – a text document which is created, stored, and delivered in an electronic format and is transmitted through the Town’s Outlook Exchange Servers. Email messages are similar to other forms of communicated messages, such as correspondence, memoranda, and circular letters.

Electronic Record or E-record – a document created and stored in an electronic format and may consist of text documents, pictures, maps, data sets, instant messaging, voice, file shares and all other forms of electronic hardware and software, commonly known as electronically stored information.

Non-record – documentation or correspondence that is of transitory or short-term value. These messages include advertisements, drafts and worksheets, desk notes, information or “read only” correspondence, and informal communication. The non-record does not set or discuss policy, establish guidelines or procedures, certify a transaction, or become a receipt.

Examples of Non-records include:

1. Routine requests for information or publications which require no administrative action, policy decision, or special compilation or research, and copies of replies.
2. Copies and duplicates (either electronic or paper) of records.
3. Memoranda and other records that do not serve as the basis of official actions. (i.e., holiday notices, meeting confirmations, etc.

Officials – all Town elected and appointed officials of the Town Board of Trustees, Planning Commission, and other Boards that are assigned official Town email addresses.

Public Record – a document as defined by § 24-72-202(6)(a), C.R.S., to be all writings made, maintained, or kept by the Town for the use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds.

Records Retention Schedule – means the Colorado Municipal Records Retention Schedule as adopted by the Town of Elizabeth through Resolution 03R10 listing records series and the applicable minimum retention period.

RETENTION PRACTICE OF EMAILS:

Electronic Records, including emails, are subject to the requirements of the Town’s records retention schedule. Town Officials and Town Employees are required to consider the content of the emails, rather than the form of communication, to determine whether the email must be retained and the period of retention.

1. Emails may be considered public records pursuant to CORA. The Town is obligated to retain public records as set forth in the Colorado Municipal Records Retention Schedule and emails must be maintained in accordance with the CMRRS.
2. Emails categorized as non-records should be deleted as soon as they are read and are no longer useful.
3. Email that is a public record may fit into one of two categories and the retention of the email depends on how the email is categorized.
 - a) Enduring Long-Term Value – Documentation or correspondence with enduring long-term administrative, policy, legal, fiscal, historical or research value; records that relate to policy issues and actions or activities in which an important precedent is set; records of historic events relating to the municipality or the community; and other similar records and documentation. **Retention period is permanent.**
 - b) Routine Value – Operating documentation that is routine and contains no significant administrative, legal, fiscal, historical information, or statistical value. Includes routine communications sent and received, communications containing duplicates of information that is filed elsewhere, routine requests for information, transmittal documents, etc. **Retention period is two (2) years.**

MANAGEMENT OF EMAILS

1. Town Officials and Town Employees are responsible for retaining emails in a manner consistent with the retention schedules established by the Town. Employees must determine according to Department processes and procedures whether an email is to be destroyed or retained and, if

retained, for how long. Employees are to exercise judgement in retaining email in the same manner as they would for the retention of paper documents.

2. Employees are required to comply with the following procedures for management and retention of emails:
 - a) Emails that have enduring long-term value shall either be saved in PDF format in an appropriate location on the network drive or other approved electronic storage system (Laserfiche) or printed and added to the appropriate file.
 - b) Emails that have routine value shall be saved in PDF format in an appropriate location on the network drive or other approved electronic storage system or printed and added to the appropriate file.
 - c) Emails that are non-records shall be permanently deleted in a timely manner.
 - d) Personal emails shall be permanently deleted once read.
 - e) Calendar items will remain in the email system until deleted by the user or for a maximum period of three (3) years. After three (3) years, they will be automatically deleted from the system.
 - f) Tasks will remain in the email system until deleted by the user or for a maximum period of three (3) years. After three (3) years, they will be automatically deleted from the system.
 - g) Deleted email items and Junk Mail folders are permanently deleted after thirty (30) days.
 - h) Sent email items will be automatically deleted after six (6) months.

Outlook is not intended to be a long-term storage repository for your email records. If you have emails that need to be retained long-term, the email needs to be saved as a PDF and placed on the server or in Laserfiche in the appropriate folder. If you would like access to Laserfiche for storage of items, please reach out to the Custodian of Records for access and training. If you have emails that contain information that is for your own use, please create a personal folder on the Town server and save the email there. You can then delete the email from Outlook.

If you create subfolders in Outlook for organizing your emails. Don't forget to go through them periodically and delete or store them as appropriate. Remember that Outlook is not meant to be a long-term repository.

If you have any questions regarding records retention periods, need training, or clarification on this policy, please reach out to the Custodian of Records.

PERMANENT DELETION OF EMAIL RECORDS FROM SERVER

Town Officials and Town Employee emails are stored long-term on the Town's servers. After departure from the Town, the email will be permanently deleted and destroyed by IT based on the below schedule:

10 Years After Leaving the Organization:

Mayor, Trustees, Board Chair, Board President, Town Administrator, all staff in the Clerk's Office, all staff in the Community Development Department, Directors, Assistant Director, Chief of Police, Sergeants, Finance Officer, and the Water and Wastewater Specialist.

3 Years After Leaving the Organization:

All other employees and Town Officials unless otherwise directed by the Town Administrator.

INSTANT MESSAGING

Instant Messaging communications are inherently unsecure and should not be retained or stored. Use caution when using Instant Messaging applications and conversation content. Examples of Instant Messaging include Teams and Zoom.

These applications should not be used for communications containing private/confidential Town information, personal private information, attorney-client confidential information, substantive discussions which are required to be retained by the records retention schedule, work product information, or any message that would be prohibited if sent as an email.

Instant Messaging should only be used for messages that are conversational and transitory in nature. As such, the retention of such messages can be destroyed once read.

Instant Messaging conversations may be subject to requests under CORA.

SUBJECT TO LEGAL HOLD

The practices and procedures of this policy are always subject to Legal and Litigation holds of the Town as directed by the Town Attorney's Office or at direction from the Town Administrator.

This policy is intended only for internal processes and procedures.



TOWN OF ELIZABETH

PATRICK G. DAVIDSON, TOWN ADMINISTRATOR

TO: Honorable Mayor, Mayor Pro Tem, and Board of Trustees
FROM: Patrick Davidson, Town Administrator
DATED: October 24, 2023
SUBJECT: Impact Fee Ordinance

BACKGROUND

In a memorandum dated January 11, 2023, the Board was advised Staff had been concerned about the overall expansion of Town services, particularly in light of any potential new development. The issue of impact fees had not been specifically addressed by the Board since **1993**. In order to prepare the Town for any further growth and development, it was believed that the timing was right in which to review the impact fees by means of an independent study, and in conformity with Colorado law.

Staff reached out to BBC Research and Consulting to determine their ability to perform the Impact Fee Study. BBC had performed many of these studies in Colorado and were willing and able to conduct the study on behalf of the Town of Elizabeth. The total cost for the study was established at twenty-nine thousand dollars (\$29,000). The Board approved a contract to retain BBC to complete the study.

On July 28, 2023, a Preliminary Report was provided by BBC which did indicate that impact fees did need to be adjusted to reflect future expansion of Town services. BBC Research and Consulting generated a Final Report on August 17, 2023, which was presented to the Board of Trustees on September 26, 2023, at a regular meeting of the Board of Trustees. Direction was provided to the Town's Legal Counsel to complete the necessary documents for approval.

ANALYSIS

The Final Report by BBC indicates that in terms of residential construction, impact fees should be imposed for the benefit of the (1) Police Department, (2) Public Buildings, (3) Parks Open Space and Trails, and (4) Public Works. For non-residential construction, similar impact fees should be assessed for (1) Police Department, (2) Public Buildings, and (4) Public Works.

It should be noted that the amounts recommended by BBC are simply a recommendation to the Board of Trustees. There is nothing binding upon the Board from having the study completed. The Board is authorized to reduce the rates identified, but likewise, based on Colorado law the Board is not authorized to adjust the fees upward beyond the study parameters. BBC Research and Consulting is recommending the following:

	RESIDENTIAL	NON-RESIDENTIAL
Police Impact Fee	\$1,522 per dwelling unit	\$355 per 1,000 sq. ft.
Public Buildings Impact Fee	\$1,558 per dwelling unit	\$364 per 1,000 sq. ft.
Parks Open Space and Trails Impact Fee	\$1,265 per dwelling unit	Not Applicable
Public Works Impact Fee	\$2,725 per dwelling unit	\$636 per 1,000 sq. ft.

As this imposition of Impact Fees is done by Ordinance, the rates do not become effective for a period of thirty (30) days from publication. The Ordinance provides safeguards for those seeking to make application prior to the effective date of the Ordinance through the submission of a complete application. The term “complete application” is a final decision of the Town Planner with regard to the materials submitted prior to the effective date of the Ordinance.

STAFF RECOMMENDATION

Staff recommends the Board of Trustees consider the imposition of the impact fees as demonstrated by BBC Research and Consulting as provided herein.

BUDGET CONSIDERATIONS

There are no immediate budget considerations from the passage of the Ordinance. Upon approval of the Ordinance, the Finance Manager would be required to set up independent accounts, but the financial impact of doing so is minimal, if there is any.

ATTACHMENTS

An Ordinance Of The Town Of Elizabeth, Colorado, Amending The Elizabeth Municipal Code To Provide For The Imposition, Computation And Payment Of A Police Impact Fee, A Public Buildings Impact Fee, A Parks, Open Space And Trails Impact Fee, And A Public Works Impact Fee On All Future Residential And Non-Residential Development; Providing Authority, Intent And Definitions; Providing For The Establishment Of Separate Impact Fee Funds For Such Fees; Providing For Exemptions, Refunds, Credits And Waivers Respecting Such Impact Fees; Providing General Provisions, Applicability And Appeals; And Providing For Severability

ORDINANCE 23-08

AN ORDINANCE OF THE TOWN OF ELIZABETH, COLORADO, AMENDING THE ELIZABETH MUNICIPAL CODE TO PROVIDE FOR THE IMPOSITION, COMPUTATION AND PAYMENT OF A POLICE IMPACT FEE, A PUBLIC BUILDINGS IMPACT FEE, A PARKS, OPEN SPACE AND TRAILS IMPACT FEE, AND A PUBLIC WORKS IMPACT FEE ON ALL FUTURE RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT; PROVIDING AUTHORITY, INTENT AND DEFINITIONS; PROVIDING FOR THE ESTABLISHMENT OF SEPARATE IMPACT FEE FUNDS FOR SUCH FEES; PROVIDING FOR EXEMPTIONS, REFUNDS, CREDITS AND WAIVERS RESPECTING SUCH IMPACT FEES; PROVIDING GENERAL PROVISIONS, APPLICABILITY AND APPEALS; AND PROVIDING FOR SEVERABILITY

WHEREAS, pursuant to the authority granted in C.R.S. § 29-20-101, *et seq.*, and as a condition of issuance of a development permit, the Town of Elizabeth may impose an impact fee or other similar development charge to fund expenditures by the Town on capital facilities needed to serve new development;

WHEREAS, the Town of Elizabeth, Colorado retained BBC Research and Consulting ("BBC") to analyze and assess growth and development projections to determine the demand for capital facilities and improvements anticipated to be placed upon the Town infrastructure to accommodate new growth in the Town;

WHEREAS, BBC has prepared an Impact Fee Study, dated August 28, 2023 (the "Impact Fee Study"), concerning the demand anticipated to be placed by new growth upon the Town's police department capital assets, public buildings, a parks, open space and trails, and public works facilities;

WHEREAS, based on reasonable methodologies and analyses for determining the impacts of new development on the Town's police department capital assets, public buildings, parks, open space and trails, and public works facilities, the Impact Fee Study quantifies the reasonable impacts of new development on these capital facilities, and establishes impact fees no greater than is necessary to defray the projected impacts on these capital facilities directly related to proposed new development;

WHEREAS, in considering the impact fees to help fund new and expanded capital facilities and improvements, BBC reasonably determined how and if both residential and non-residential development generated demand for a new capital facilities and improvements and what percentage of the total cost projection was attributable to new growth;

WHEREAS, the police, public buildings, parks, open space and trails, and public works facilities impact fees to be imposed on new development will be and are hereby legislatively adopted, will be generally applicable to a broad class of property, and are intended to defray the projected impacts on such facilities and improvements caused by proposed development as

required by law;

WHEREAS, the Impact Fee Study quantifies the reasonable impacts of proposed development on existing police department capital assets, public buildings, parks, open space and trails, and public works facilities and the reasonable costs of infrastructure that would be necessary to construct and expand the Town's capital facilities to accommodate the additional demands and impacts of proposed developments in the Town, and based upon the Study, and a review of all of the facts and circumstances, in the reasonable judgment of the Board, the impact fees hereby established are at levels no greater than necessary to defray the impacts directly related to the categories of land development listed;

WHEREAS, the Impact Fee Study has been presented to and reviewed by the Board of Trustees;

WHEREAS, in adopting the police, public buildings, parks, open space and trails, and public works facilities impact fees, the Board intends and has determined that such fees are designed to and do address capital facilities needs which are brought about by development generally, which facilities are separate and distinct from the impacts and needs addressed by other requirements of the Town Code, and in no circumstance do the impact fees set forth herein address the same subjects as other requirements of the Town Code for site specific dedications or improvements;

WHEREAS, the impact fees hereby adopted do not remedy any deficiency in existing capital facilities without regard to the proposed development;

WHEREAS, provisions are included herein to ensure that no individual landowner/applicant is required to provide any site specific dedication or improvement to meet the same need for capital facilities for which the impact fees or other similar development fee is charged;

WHEREAS, provisions are included herein to provide for an offset or credit against the impact fees payable by a particular applicant where a site specific dedication or improvement is required from the same applicant for the same capital need;

WHEREAS, the impact fees adopted hereby shall be collected and accounted for in accordance with C.R.S. § 29-1-801, *et seq.*, and each of the three categories of impact adopted herein shall be accounted for separately;

WHEREAS, no impact fees set forth herein will be imposed on any development permit for which the applicant has submitted a complete application before the adoption of the impact fees pursuant to this Ordinance;

WHEREAS, the Board of Trustees held a public hearing to discuss, review and hear public comments on the proposed impact fees set forth herein;

WHEREAS, based upon the testimony at the Public Hearing, in the reasonable judgment of the Board, it finds that: (1) new development upon which the impact fees are charged creates a need for the capital facilities being funded by the fees; (2) new development will benefit from the construction of the facilities and improvements to be funded by the impact fees; and (3) the amounts of the facilities and improvements funded by the impact fees are directly related to that required by new development; and

WHEREAS, the impact fees adopted hereby are fair and rational, charge new development according to its impact on the Town's capital facilities and benefits the developers who pay them in a tangible way.

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF ELIZABETH, COLORADO, THAT:

Section 1. The Town of Elizabeth Municipal Code is amended by the addition thereto of a new Article VIII to Chapter 4 to read as follows:

Article VIII.

DEVELOPMENT IMPACT FEES

Impact Fees Created

Sec. 4-8-10. Legislative findings.

The Board of Trustees finds that:

- (a) The protection of the health, safety, and general welfare of the citizens of the Town requires that the Town's police facilities, public buildings, parks, open space and trails, and public works facilities be expanded and improved to accommodate continuing growth within the Town.
- (b) New residential and non-residential development imposes increasing demands upon the Town-wide police facilities, public buildings, parks, open space and trails, and public works facilities, and often overburdens such facilities and systems.
- (c) The tax revenues currently generated from new development do not generate sufficient funds to provide the Town-wide police facilities, public buildings, parks, open space and trails, and public works facilities expansions necessary to serve the new development.
- (d) New development is expected to continue and will place ever-increasing demands on the Town to provide such capital facilities to serve new development.

(e) All types of development that are not expressly exempt from the provisions of this Article will generate demand for Town-wide police department capital assets, public buildings, parks, open space and trails, and public works facilities.

(f) The *Impact Fee Study*, prepared by BBC, dated August 28, 2023, sets forth a reasonable methodology and analysis for determining and quantifying the reasonable impacts of various types of proposed residential and non-residential development on the Town's police department capital assets, public buildings, parks, open space and trails, and public works facilities; quantified the reasonable impact of proposed development on the capital facilities addressed therein; determined the costs necessary to meet the demands created by new development; and determined impact fees as set forth in this Article that are at a level no greater than necessary to defray such impacts of proposed new development on the Town's existing capital facilities. The Town hereby establishes as Town standards the assumptions and level of service standards referenced in the Impact Fee Study as part of its current plans for future expansions to the Town's capital facilities addressed in such Study.

(g) The impact fees set forth in this Article are based on the *Impact Fee Study* and are intended to defray the projected impacts on the Town's police department capital assets, public buildings, parks, open space and trails, and public works facilities directly related to and caused by proposed development.

(h) All capital facilities and improvements financed with the impact fees set forth herein will benefit all development in the Town, and it is therefore appropriate to treat the entire Town as a single service area for purposes of calculating, collecting, and spending the impact fees provided for in this Article.

(i) The impact fees set forth in this Article are based on the *Impact Fee Study* and do not and will not be used to remedy any deficiencies in capital facilities or improvements that exist without regard to the proposed development.

(j) This Article includes provisions to ensure that no individual landowner is required to provide any site specific dedication or improvement to meet the same need for capital facilities or improvements for which an impact fee is imposed.

(k) Except as described in Section 4-8-50(i) concerning optional independent fee calculation studies, each category of impact fee created by this Article is a standardized fee to be applied uniformly to a broad class of property and is not a discretionary fee to be determined on a case-by-case basis, except as provided in Section 4-8-130(f).

Sec. 4-8-20. Authority, applicability, and effective date.

(a) This Article is enacted pursuant to the Town's general police powers pursuant to the authority granted to the Town by C.R.S. § 31-15-101, *et seq.*, and pursuant to the authority granted to the Town by C.R.S. § 29-20-101, *et seq.*

(b) The provisions of this Article shall apply to all of the territory within the limits of the Town.

(c) The provisions of this Article shall not apply to any development for which the applicant has submitted a "complete application" prior to the effective date of this Article, as the term "complete application" is defined in Section 4-8-40 below.

Sec. 4-8-30. Intent.

(a) The intent of this Article is to comply with the provisions set forth in C.R.S. § 29-20-101, *et seq.*, and the provisions of this Article shall be interpreted, construed, and enforced in accordance with the provisions set forth in C.R.S. § 29-20-101, *et seq.*

(b) The intent of this Article is to ensure that new development bears a proportionate share of the cost of capital facilities and improvements, to ensure that such proportionate share does not exceed the cost of the capital facilities and improvements required to serve such new development and to ensure that the funds collected from new developments are used to construct capital facilities and improvements that benefit such new developments.

(c) It is the further intent of this Article that new development pay for its proportionate share of Town-wide police department capital assets, public buildings, parks, open space and trails, and public works facilities and improvements through the imposition of an impact fee for each of such categories of capital needs, which fees will be used to finance, defray or reimburse all or a portion of the costs incurred by the Town to construct or acquire the capital facilities and improvements that will serve or benefit such new development.

(d) It is the intent of this Article to collect from new development only that amount of money directly related to the impacts of new development and necessary to offset new demand for capital facilities and improvements generated by that new development.

(e) It is not the intent of this Article that the impact fees be used to remedy any deficiency in capital facilities or improvements existing on the effective date of this Article.

(f) It is not the intent of this Article that any monies collected from any impact fee deposited in an impact fee fund ever be commingled with monies from a different impact fee fund, or ever be used for capital facilities that are different from that for which the fee was paid.

Sec. 4-8-40. Definitions.

- (a) "Applicant" means any person or entity who files an application with the Town for a building permit for land development.
- (b) "Capital facility" means any improvement or facility that (1) is directly related to any service that the Town is authorized to provide; (2) has an estimated useful life of seven years or longer; and (3) is required by the general policy of the Town.
- (c) "Complete application" means an application for development for which (1) all of the required information and submittal material, in the amount and dimensions required by Town, have been submitted to and received by the Town, and (2) the Town Planner in writing has certified the application as complete. The decision of the Town Planner with respect to completeness and applicability of submittal requirements shall be final;
- (d) "Impact Fee Study" means the *Impact Fee Study*, prepared by BBC, dated August 28, 2023.
- (e) "Independent fee calculation study" means a study prepared by an applicant for a permit or extension calculating the cost of expansions or improvements to one or more of the Town's capital facilities required to serve the applicant's proposed development, that is performed on the same methodology, uses the same units, unit costs, staffing, building sizes, improvements and construction costs stated in the Impact Fee Study and is performed in compliance with any criteria for such studies established by this Article or by the Town.
- (f) "Land development" means any construction, reconstruction, expansion, or conversion of a building, structure or use, or any change in the use of any land, building or structure, which creates additional demand for public services.
- (g) "Parks open space and trails impact fee" means the parks, open space and trails impact fee established by this Article.
- (h) "Parks open space and trails impact fee Impact Fee Fund" means the Parks open space and trails Impact Fee Fund established by this Article.
- (i) "Parks open space and trails facilities and improvements" means planning, land acquisition, engineering design, construction inspection, on-site construction, off-site construction and park open space and trails equipment purchases associated with new or expanded park open space and trails capital facilities or equipment that expand the capacity of the Town's parks system and that have an average useful life of at least seven (7) years, but not including maintenance, operations or improvements that do not expand capacity, and not including neighborhood parks and related improvements. The costs of parks, open space and trails improvements shall include any financing costs associated with such improvements.
- (j) "Police facilities impact fee" means the police facilities impact fee established by this Article.

(k) "Police Impact Fee Fund" means the Police Facilities Impact Fee Fund established by this Article.

(l) "Police department capital assets " means planning, land acquisition, engineering design, construction inspection, on-site construction, off-site construction and police capital facility purchases associated with new or expanded police facilities, including without limitation, additional police office space, police parking, police building and storage space and other police capital facilities that expand the capacity of the Town's police facilities and that have an average useful life of at least seven (7) years, but not including maintenance, operations or improvements that do not expand capacity, and not including site specific dedications or improvements to meet the same need for police capital facilities for which the police facilities impact fee is imposed. The costs of police facility improvements shall include any financing costs associated with such improvements.

(m) "Public buildings impact fee" means the public buildings impact fee established by this Article.

(n) "Public Buildings Impact Fee Fund" means the Public Buildings Impact Fee Fund established by this Article.

(o) "Public Buildings" means planning, land acquisition, engineering design, construction inspection, on-site construction, off-site construction and public building facility purchases associated with new or expanded public facilities and buildings, including without limitation, additional municipal office space, municipal office equipment, municipal office space parking, public works building and storage space and other municipal capital building facilities that expand the capacity of the Town's public facilities and that have an average useful life of at least seven (7) years, but not including maintenance, operations or improvements that do not expand capacity, and not including site specific dedications or improvements to meet the same need for public building facilities for which the public facilities impact fee is imposed. The costs of public facility building improvements shall include any financing costs associated with such improvements.

(p) "Public Works facilities impact fee" means the public works facilities impact fee established by this Article.

(q) "Public Works Facilities Impact Fee Fund" means the Public Works Facilities Impact Fee Fund established by this Article.

(r) "Public works facilities and improvements" means planning, land acquisition, engineering design, construction inspection, on-site construction, off-site construction and public works capital facility purchases associated with new or expanded public works facilities, including without limitation, additional public works office space but not including municipal office space, public works building and storage space, public utilities and other public works capital facilities that expand the capacity of the Town's public works facilities and that have an average useful life of at least seven (7) years, but not including maintenance, operations or improvements that do not expand capacity, and not

including site specific dedications or improvements to meet the same need for public works capital facilities for which the public works facilities impact fee is imposed. The costs of public works facility improvements shall include any financing costs associated with such improvements.

(s) "Site-related or site specific improvements" include, without limitation:

(1) with respect to the parks, open space and trails fee set forth herein, all neighborhood and local park facilities and equipment located within the boundaries of the proposed development and designed and intended to provide neighborhood and local park facilities and equipment only within the boundaries of the proposed development, or located outside the boundaries of the development and designed and intended to provide connections from existing parks, open space and trails facilities to only the applicant's development;

(2) with respect to the police impact fees set forth herein, respectively, all police department capital assets located within the boundaries of the proposed development and designed and intended to provide such facilities only within the boundaries of the proposed development, or located outside the boundaries of the development and designed and intended to provide such facilities to only the applicant's development;

(3) with respect to the public buildings impact fee, all such buildings serving on the proposed development; and

(4) with respect to the public works facilities impact fee, all such facilities including utility infrastructure located within the boundaries of the proposed development and designed and intended to provide such facilities only within the boundaries of the proposed development.

Sec. 4-8-50. Imposition and computation of impact fees.

(a) There is hereby established a police, public buildings, parks, open space and trails, and public works facilities impact fee which shall be imposed in the amounts and pursuant to the provisions of this Article.

(b) Each such fee shall be required as a condition of approval of all development in the Town for which a building permit is required pursuant to subsection (c) of this Section 4-8-50 and payable prior to the issuance of any building permit for a residential or non-residential structure.

(c) Each such fee shall be imposed and calculated in accordance with this Section 4-8-50 upon approval of the following type of development applications:

(1) Subdivision approval, whether such subdivision approval is a final plat approval, a minor development plat approval or the approval of a replat;

(2) Approval of a rezoning, including approval of a planned unit development, only in the event the Board of Trustees determines that the rezoning approval

generates demand for a new capital facilities and improvements in excess of what the previous entitlements had allowed for on an application for which approval of a subdivision is not necessary.

(d) Except for such fee as may be calculated, paid, and accepted pursuant to an independent fee calculation study, the amount of each fee shall be as is set forth in the schedule attached hereto and incorporated herein as **Exhibit A**.

(e) After the effective date of this Article, no building permit shall be issued until the impact fees described in this Article have been paid, unless the development for which the permit is sought is exempted by Section 4-8-90 or approved credits are used to cover the impact fee, as set forth in Section 4-8-110. The obligation to pay impact fees shall run with the land.

(f) The impact fees shall be in addition to any public land dedication and school site dedication requirements imposed by the Municipal Code of the Town of Elizabeth.

(g) An applicant required by this Article to pay an impact fee may choose to have the amount of such fee determined pursuant to either subsection (h) or (i) below. Regardless of whether the applicant calculates the amount of the fee pursuant to subsection (h) or (i), such fee shall be subject to the adjustment described in Section 4-8-110, if applicable.

(h) Unless an applicant requests that the Town determine the amount of such fee pursuant to subsection (i) below, the Town shall determine the amount of the required impact fee pursuant to the schedule set forth in **Exhibit A**.

(1) If the applicant's development is of a type not listed in subsection (b), then the Town shall use the fee applicable to the most nearly comparable type of land use in subsection (b).

(2) If the applicant's development includes a mix of those uses listed in subsection (b), then the fee shall be determined by adding up the fees that would be payable for each use if it was a freestanding use pursuant to subsection (b).

(3) If the applicant is applying for a permit to allow (1) a change of use, or (2) the expansion or modification of an existing non-residential building by more than one thousand (1,000) square feet, the fee shall be based on the net positive increase in the fee for the new use or structure as compared to the impact fee, if any, that would have been due under this Article for the previous use or structure, whether or not such fee was actually paid.

The provisions of sub-subsection (1)-(3) of this subsection (h) shall not apply to the parks, open space and trails impact fee.

(i) An applicant may request that the Town determine the amount of the required impact fee by reference to an independent fee calculation study for the applicant's development prepared at the applicant's cost by qualified professional engineers and/or economists and submitted to the Town's Engineer or its designee. Any such study shall be

based on the same methodology and the same levels of service standards, service standards, units, unit costs, staffing, building sizes, improvements, and construction costs used in the *Impact Fee Study* for the fee category at issue, and must document the economic methodologies and assumptions used. The Town may hire professional engineers or other consultants to review any independent fee calculation study on behalf of the Town and may charge the costs of such review to the applicant. Any independent fee calculation study submitted by an applicant may be accepted, rejected, or accepted with modifications by the Town as the basis for calculating impact fees. The Town shall not be required to accept any such study or documentation the Town deems to be inaccurate or unreliable and shall have the authority to request that the applicant submit additional or different documentation for consideration in connection with review of any study. If such study is accepted or accepted with modifications as a more accurate measure of the demand for capital facilities created by the applicant's proposed development than the applicable fee set forth in **Exhibit A**, then the impact fee due under this Article may be calculated according to such study.

Sec. 4-8-60. Payment of impact fees.

(a) After the effective date of this Article, all applicants shall pay the impact fees required by this Article to the Town prior to the issuance of any building permit for a residential or non-residential structure.

(b) All monies paid by an applicant pursuant to this Article shall be identified as a fee paid under the applicable fee category and shall be promptly deposited in the applicable Impact Fee Fund described in Section 4-8-70.

Sec. 4-8-70. Impact fee funds.

(a) There are hereby established the following funds for the purpose of ensuring impact fees collected pursuant to this Article are designated for the accommodation of capital facility impacts reasonably attributable to new development that paid the fee:

(1) A Police Impact Fee Fund, into which shall be deposited all police impact fees;

(2) A Public Buildings Impact Fee Fund, into which shall be deposited all public buildings impact fees;

(3) A Parks, Open Space and Trails Impact Fee Fund, into which shall be deposited all parks open space, and trails impact fees; and

(4) A Public Works Facilities Impact Fee Fund, into which shall be deposited all public works facilities impact fees.

(b) Each Fund shall be an interest-bearing account which shall be accounted for separately from other Funds. Any interest or other income earned on monies deposited in each such Fund shall be credited to such Fund.

(c) Each Fund shall contain only those impact fees collected pursuant to this Article

which are to be deposited in accordance with subsection (a), and any interest which may accrue from time to time on such Fund.

Sec. 4-8-80. Use of Impact Fees.

(a) The monies in the Police Impact Fee Fund shall be used only (1) to acquire land for and/or acquire, develop, or construct police department capital assets and improvements; or (2) as described in Section 4-8-100.

(b) The monies in the Public Buildings Impact Fee Fund shall be used only (1) to acquire land for and/or acquire, develop and/or construct public building facility improvements; or (2) as described in Section 4-8-100.

(c) The monies in the Parks Open Space and Trails Impact Fee Fund shall be used only: (1) to acquire land for or acquire, develop, or construct parks, open space and trails, and related appurtenances or (2) as described in Section 4-8-100.

(d) The monies in the Public Works Facilities Impact Fee Fund shall be used only: (1) to acquire land for or acquire, develop, or construct public works facilities and related appurtenances or (2) as described in Section 4-8-100.

(e) No monies from the Impact Fee Funds shall be spent for periodic or routine maintenance, rehabilitation, or replacement of any Town capital facilities.

(f) No monies from the Impact Fee Funds shall be spent to remedy deficiencies in capital facilities existing on the effective date of this Article.

Sec. 4-8-90. Exemptions from impact fees.

(a) Except where expressly stated for a particular impact fee, the following types of land development shall be exempted from payment of the impact fees imposed by this Article:

(1) Reconstruction, expansion, or replacement of a residential unit existing on the effective date of this Article, provided that the reconstructed, expanded or replacement residential unit is within the same residential size category as the current residential unit.

(2) Reconstruction, expansion, or replacement of a non-residential building existing on the effective date of this Article, provided that no more than one thousand (1,000) square feet of additional usable non-residential space is created.

(3) Construction of an unoccupied, detached accessory structure, related to a residential unit; provided, however, that with respect to the streets impact fee, this exemption may be applied to construction of any unoccupied, detached accessory structure, provided such structure will not produce additional vehicle trips over and above those produced by the primary building or land use.

(4) The replacement of a destroyed or partially destroyed non-residential building or structure with a new non-residential building or structure of the same size as the original structure and which does not exceed the size of the original structure by more than one thousand (1,000) square feet of usable non-residential space.

(5) The replacement of a destroyed or partially destroyed building or structure with a new building or structure of the same size and use, where no additional vehicle trips will be produced over and above those produced by the original building or structure.

(6) The installation or replacement of a mobile home on a lot or a mobile home site when an impact fee for such lot or site has previously been paid pursuant to this Article or where a mobile home legally existed on such site on or prior to the effective date of this Article.

(7) Any type of development for which an impact fee is not otherwise due and payable pursuant to Section 4-8-50.

(8) Any other type of development for which the applicant can demonstrate that the proposed land use and development will produce no greater demand for the capital facility for which the fee is imposed, or produce no more vehicle trips from such site over and above the trips from such site prior to the proposed development, or for which the applicant can show that an impact fee for such site has previously been paid in an amount that equals or exceeds the impact fee that would be required by this Article. The burden shall be on the applicant to demonstrate that such a fee was previously paid.

(b) Any such claim for exemption must be made no later than the time when the applicant applies for the first building permit for the proposed development that creates the obligation to pay the impact fee, and any claim for exemption not made at or before that time shall have been waived.

(c) The Town Administrator or the Town Administrator's designee shall determine the validity of any claim for exemption pursuant to the criteria set forth in subsection (a) above.

(d) The Board of Trustees may, pursuant to C.R.S. § 29-20-104.5(5), exempt from payment or reduce the amount of the payment of the impact fees imposed by this Article for any portion of a development which includes low or moderate income housing or affordable employee housing as the same may be defined by the Board of Trustees.

Sec. 4-8-100. Refunds of impact fees paid.

(a) Fees deposited in each Fund shall be appropriated and expended within ten (10) years from the date on which such fee was paid. Any fees not so appropriated or expended shall be refunded, upon application to the Town, to the record owner of the property for which the impact fee was paid, together with interest calculated at the two-year treasury rate adjusted annually on the last business day of the year for each year from the date of

collection to the date of refund; provided, however, that the Town shall retain an additional two percent (2%) of the fee to offset the cost of the refund.

(b) Any application for a refund under the provisions of this Article shall be required to be made to the Town Treasurer within six (6) months of the expiration of such ten-year period following the date of payment of such fee. If a refund is due hereunder, the amount of such refund shall be divided proportionately among all applicants for refunds who have filed applications during said six (6) month period; provided, however, that in no event shall the amount of any refund exceed the amount of the fee paid on behalf of the property for which the refund is sought, plus interest as calculated above.

(c) After an impact fee has been paid pursuant to this Article, no refund of any part of such fee shall be made if the project for which the fee was paid is later demolished or destroyed or is altered, reconstructed, or reconfigured so as to reduce the size of the project, the number of units in the project or the use of any building or structure.

Sec. 4-8-110. Credits against impact fees.

(a) No applicant shall be required to provide any site specific dedication or improvement to meet the same need for capital facilities for which an impact fee is imposed. Therefore, after the effective date of this Article, all land dedications and improvements for a capital need for which an impact fee is imposed, over and above those required by the Town in connection with a proposed development, shall result in a credit against the impact fee otherwise due for such development. However, no credit shall be awarded for: (1) any land dedications for or acquisition or construction of site-related or site-specific improvements; (2) any land dedications not accepted by the Town; (3) any acquisition or construction of facilities and improvements not approved in writing by the Town prior to commencement of the acquisition, development or construction; or (4) any dedication, construction or acquisition of a type of facilities or improvements not included in the calculation of the applicable capital facilities impact fee in the *Impact Fee Study*. No credit shall exceed the amount of the applicable impact fee due from the applicant or property owner; provided, however, that if the amount of the credit due from the dedication or construction of a capital facility or improvement is calculated to be greater than the amount of the fee due, nothing herein shall be construed as preventing the Town from entering into a reimbursement agreement with the applicant under other applicable provisions of the Town Code, whereby said applicant may be reimbursed by subsequent property owners benefiting from the dedication or construction.

(b) In order to obtain a credit against impact fees otherwise due, an applicant must submit a written offer to dedicate to the Town specific parcels of land over and above those regularly required by the Town or to acquire or construct specific facilities and improvements in accordance with all applicable state or Town codes, ordinance and design and construction standards, and must specifically request a credit against the applicable impact fee. Such written request must be made on a form provided by the Town, must contain a statement under oath of the facts that qualify the applicant to receive a credit, must be accompanied by documents evidencing those facts and must be filed not later than the time when an applicant applies for the first building permit that includes the obligation

to pay the impact fee against which the credit is requested. Failure by the applicant to follow the above procedures waives the claim for credit.

- (c) The credit due to an applicant shall be calculated and documented as follows:
 - (1) Credit for qualifying land dedications shall, at the applicant's option, be valued at (a) one hundred percent (100%) of the most recent estimated actual value for such land as shown in the records of the County Assessor, or (b) that fair market value established by an MAI or Colorado Certified General Real Estate Appraiser acceptable to the Town in an appraisal paid for by the applicant.
 - (2) In order to receive credit for qualifying acquisition or construction of capital facility improvements, the applicant shall submit completed engineering drawings, specifications, and construction cost estimates to the Town. The Town shall determine the amount of credit due based on the information submitted or, if it determines that such information is inaccurate or unreliable, then on alternative engineering or construction costs acceptable to the Town.
- (d) Approved credits shall become effective at the following times:
 - (1) Approved credits for land dedications shall become effective when the land has been conveyed to the Town in a form acceptable to the Town at no cost to the Town and accepted by the Town. When such conditions have been met, the Town shall note that fact in its records. Upon written request from the applicant, the Town shall issue a letter stating the amount of credit available.
 - (2) Approved credits for the acquisition or construction of capital facilities and improvements shall generally become effective when: (a) all required construction has been completed and has been accepted by the Town; (b) a suitable maintenance and warranty bond has been received and approved by the Town; and (c) all design, construction, inspection, testing, bonding, and acceptance procedures have been completed in compliance with all applicable Town and state procedures. However, approved credits for the construction of capital facilities and improvements may become effective at an earlier date if the applicant posts security in the form of a performance bond, irrevocable letter of credit or escrow agreement and the amount and terms of such security are accepted by the Town. At a minimum, such security must be in the amount of one hundred twenty-five percent (125%) of the approved credit or one hundred twenty-five percent (125%) of the amount determined to be adequate to allow the Town to construct the capital facilities and improvements for which the credit was given, whichever is higher. When such conditions have been met, the Town shall note that fact in its records. Upon request of the applicant, the Town shall issue a letter stating the amount of credit available.
- (e) Approved credits may be used to reduce the amount of impact fees due from any proposed development until the amount of the credit is exhausted. A credit may only be applied to the same category of impact fee for which the credit was obtained. Each time a request to use approved credits is presented to the Town, the Town shall reduce the amount

of the applicable impact fee otherwise due from the applicant and shall note in the Town records the amount of credit remaining, if any. Upon request of the applicant, the Town shall send the applicant a letter stating the number of credits available.

(f) Approved credits shall only be used to reduce the amount of the impact fee otherwise due under this Article and shall not be paid to the applicant in cash or in credits against any other monies due from the applicant to the Town. If the credit has not been exhausted within ten (10) years of the date of issuance of the first building permit for which a fee was due and payable under the provisions of this Article, or within such other period as may be designated in writing by the Town, such credit shall lapse.

Sec. 4-8-120. Appeals.

(a) Any property owner or applicant may appeal the following decisions to the Town Administrator pursuant to such administrative hearing process as may be established by the Town Administrator:

- (1) The applicability of an impact fee to the development;
- (2) The amount of an impact fee to be paid for the development;
- (3) The availability, amount or application of any credit; or
- (4) The amount of any refund, as determined by the Town.

(b) The burden of proof in any such hearing shall be on the applicant to demonstrate that the amount of the impact fee, credit or refund was not properly calculated by the Town. In the event of an appeal of the amount of the impact fee, the fee payer shall, at his or her expense, prepare and submit to the Town Administrator an independent fee calculation study for the impact fee in question. The independent fee calculation study shall follow the methodologies used in the Impact Fee Study and the applicable provisions set forth in Section 4-8-50(g). The independent fee calculation study shall be conducted by a professional in impact fee analysis. The burden shall be on the fee payer to provide the Town Administrator all relevant data, analysis and reports which would assist the Town Administrator in determining whether the impact fee should be adjusted.

(c) All appeals must state with specificity the reasons for the appeal and shall contain such data and documentation upon which the applicant seeks to rely. The Town Administrator, as applicable, shall notify the applicant of the hearing date on the application, which notice shall be given no less than fifteen (15) working days prior to the date of the hearing. At the hearing, the Town Administrator shall provide the applicant and Town staff an opportunity to present testimony and evidence regarding the fee, credit or refund being appealed. The Town Administrator shall modify said amount only if there is substantial competent evidence in the record that the Town erred, based upon the methodologies contained in the *Impact Fee Study*. The decision of the Town Administrator shall be final.

(d) The Town Administrator is hereby authorized to delegate any of the functions or

authorities in this Section 4-8-120 to the Administrator's designee.

Sec. 4-8-130. Miscellaneous provisions.

(a) Interest earned on monies in each of the Impact Fee Funds shall be considered part of each such Fund and shall be subject to the same restrictions on use applicable to the impact fees deposited in such Fund.

(b) Monies in each of the Impact Fee Funds shall be considered to be spent in the order collected, on a first-in/first-out basis.

(c) Nothing in this Article shall restrict the Town from requiring an applicant to construct improvements required to serve the applicant's project and otherwise permitted under applicable law, whether or not such improvements are of a type for which credits are available under Section 4-8-110.

(d) Any monies, including any accrued interest, not assigned to specific projects in any year and not expended pursuant to Section 4-8-80 shall be retained in the Impact Fee Fund until the next fiscal year.

(e) If an impact fee has been calculated and incurred based on a mistake or misrepresentation, it shall be recalculated. Any amounts overpaid by an applicant shall be refunded by the Town to the applicant within thirty (30) days after the Town's acceptance of the recalculated amount or the date of a final decision in any appeal for the recalculation pursuant to Section 4-8-120, whichever is later, with interest at the rate of two percent (2%) per annum since the date of such overpayment. Any amounts underpaid by the applicant shall be paid to the Town within thirty (30) days after the Town's acceptance of the recalculated amount, from the date of a final decision in any appeal of the recalculation pursuant to Section 4-8-120, whichever is later, with interest at the rate of two percent (2%) per annum since the date of such underpayment. In the case of an underpayment to the Town, the Town shall not issue any additional permits or approvals for the project for which the impact fee was previously paid until such underpayment is corrected.

(f) The Board of Trustees may agree to pay some or all of an impact fee imposed on a proposed development by this Article from other funds of the Town that are not restricted to other uses. Any such decision to pay impact fees on behalf of an applicant shall be at the discretion of the Board of Trustees and shall be made pursuant to goals and objectives previously adopted by the Board of Trustees to promote any legally permitted purpose.

(g) The impact fees described in this Article and the administrative procedures of this Article shall be reviewed at least once every five (5) years to ensure that: (1) the demand and cost assumptions and other assumptions underlying such fees are still valid; (2) the resulting fees do not exceed the actual costs of constructing capital facilities and improvements required to serve new development; (3) the monies collected in the Impact Fee Funds have been and are expected to be spent for capital facilities and improvements; and (4) such capital facilities and improvements will benefit those developments for which the fees were paid. Failure to perform such review within such time shall not invalidate any portion of this Article or restrict the Town from collecting the fees described in this

Article.

(h) Violation of this Article shall be subject to those remedies provided in this Code. Knowingly furnishing false information to any official of the Town charged with the administration of this Article on any matter relating to the administration of this Article, including without limitation the furnishing of false information regarding the expected size or use of a proposed development, shall be a violation of this Article.

(i) The subsection titles used in this Article are for convenience only and shall not affect the interpretation of any portion of the text of this Article.

(j) On January 1, 2025, and on January 1st of each year thereafter in which an impact fee is in effect, the amount of the impact fee per dwelling unit for residential development and the per square footage of gross floor area for non-residential development shall be automatically adjusted to account for inflation increases in the cost of providing capital facilities, utilizing the most recent data from the Engineering News Record construction cost index for the Denver metropolitan area. In lieu of this automatic annual adjustment, the Town may, at its option, determine the appropriate annual inflation factor. Moreover, nothing herein shall prevent the Town from electing to maintain a then-existing capital facilities impact fee or from electing to waive the inflation adjustment for any given fiscal year, or years. Any such action to determine an inflation factor other than that set forth above shall be by Board resolution.

(k) Authority is hereby granted for each of the Impact Fee Funds established hereby to borrow funds from and lends funds to each of the other Impact Fee Funds established hereby, to the extent permissible by law and in compliance with C.R.S. § 29-1-801, *et seq.*, and C.R.S. § 29-20-101, *et seq.*, and provided that all funds so borrowed or lent are repaid accordingly.

Section 2. Severability. If any section, paragraph clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

Section 3. The Board of Trustees hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. This Ordinance shall become effective thirty (30) days after publication.

Read and approved at a meeting of the Board of Trustees of the Town of Elizabeth, Colorado, this _____ day of _____, 2023.

Passed by a vote of _____ for and _____ against and ordered published.

Nick Snively, Mayor

ATTEST

Michelle M. Oeser, Town Clerk

EXHIBIT A

IMPACT FEE SCHEDULE EFFECTIVE JANUARY 1, 2024

	RESIDENTIAL	NON-RESIDENTIAL
Police Impact Fee	\$1,522 per dwelling unit	\$355 per 1,000 sq. ft.
Public Buildings Impact Fee	\$1,558 per dwelling unit	\$364 per 1,000 sq. ft.
Parks Open Space and Trails Impact Fee	\$1,265 per dwelling unit	Not Applicable
Public Works Impact Fee	\$2,725 per dwelling unit	\$636 per 1,000 sq. ft.



October 24, 2023

Management Team Updates


Community Development – Zach Higgins

- The Main Street Board and Staff have given DOLA approval to move forward with the contract with DHM and CORE Engineering to provide services for the Main Street Monument Sign. The first design meeting was held on June 26th at Town Hall. Stakeholders were in attendance to give DHM direction. The second meeting took place on August 14th where the gateway over Main Street option was chosen.
- The MSBOD and HAB have given formal recommendation of a request to include a façade improvement grant in the Town budget for 2024. The BOT has given direction for Staff to work on the creation of the program. Staff has met with both the HAB and MSBOD to get feedback on the guidelines.
- The HAB continues to work on the creation of the first Historic District in Town and updates to the Design Guidelines in relation to Historic and adjacent buildings. June 12th was the second public meeting to get feedback regarding the district and design guidelines. HAB will be pursuing individual property owner feedback. In addition, two (2) HAB members and two (2) staff will be traveling to a community with a recently implemented historic district to get feedback from that community's staff and business owners about the process, overcoming contention, and feedback since implementation.
- The HAB has started their Oral History program.
- CORE Engineering presented the Streetscape options based on the requested block-by-block analysis on June 27th. The BOT has given a recommendation to update the Cross-Sections based on this analysis. The BOT has formally adopted the updated Cross-Sections on 08/22/2023.
- CDOT has processed the deeds for remnant parcels of land to the Town adjacent to the CR-13 realignment. Staff will now work to annex and zone said parcels.
- Wine in the Pines had over 500 attendees per Jason Piter's tallies.


Town Clerk – Michelle Oeser

- Staff are happy to say currently we have five confirmed sponsors of the Senior Project Bags. Bags will be ordered within the next two weeks.
- Allison enjoyed her Caselle Conference, not only learning new technology, but was also a top performing presenter.
- Hannah has worked to fine tune the budget to have clear information to present the Board at the October 21st Workshop.
- Hannah has done an outstanding job working with the Elizabeth School District to balance out the water ORC account services.
- Staff appreciate the responses received for the invitation to the Boards and Commissions Christmas Celebration. If you have not responded, please do so, even if it is a no. Staff is working on getting a count for the restaurant.
- In your packet you will see the email retention Resolution, Harmony developed this policy as another step in the retention of Town records.
- Reminder that the Harvest Festival is on Saturday, October 28th, from 10 a.m. to 3:30 p.m.

Police – Chief Engel

 See attached report

Public Works and Utilities – Mike DeVol

 No report

TOWN OF ELIZABETH
 COMBINED CASH INVESTMENT
 AUGUST 31, 2023

COMBINED CASH ACCOUNTS

99-104201	COLOTRUST INVESTMENT ACCOUNT	15,224,934.57
99-104202	CORE ARPA ACCOUNT	359,774.69
99-104203	CORE INVESTMENT ACCOUNT	4,650,475.55
99-105200	CBOC (WATER SEWER)	1,442,269.07
		21,677,453.88
99-100001	CASH ALLOCATED TO OTHER FUNDS	(21,677,453.88)
		.00
	TOTAL UNALLOCATED CASH	.00

CASH ALLOCATION RECONCILIATION

10	ALLOCATION TO GENERAL FUND	3,475,924.78
21	ALLOCATION TO STREET FUND	985,906.03
31	ALLOCATION TO CAPITAL IMPROVEMENT FUND	9,231,724.16
32	ALLOCATION TO STREET CAPITAL IMPROVEMENT FND	3,962,080.98
52	ALLOCATION TO WATER SEWER FUND	4,021,817.93
		21,677,453.88
	ALLOCATION FROM COMBINED CASH FUND - 99-100001	(21,677,453.88)
		.00
	ZERO PROOF IF ALLOCATIONS BALANCE	.00

TOWN OF ELIZABETH
BALANCE SHEET
AUGUST 31, 2023

GENERAL FUND

ASSETS

10-100001	CASH IN COMBINED CASH FUND	3,475,924.78	
10-101000	PETTY CASH	200.00	
10-101100	PETTY CASH- POLICE DEPT	100.00	
10-110000	PROPERTY TAXES RECEIVABLE	17,040.12	
10-115000	ACCOUNTS RECEIVABLE	325,406.93	
	TOTAL ASSETS		3,818,671.83

LIABILITIES AND EQUITY

LIABILITIES

10-201000	ACCRUED SALARIES PAYABLE	38,276.41	
10-202000	ACCOUNTS PAYABLE	(369.15)	
10-202200	RESTITUTION PAYABLE--MUNI. CT.	2,295.19	
10-202201	COURT BONDS POSTED	590.00	
10-202202	OJW/WARRANT FEE DUE TO DMV	103.98	
10-202203	PERFORMANCE BONDS PAYABLE	65,714.39	
10-202300	AP TO ELBERT CO.--BLGUTX SHARE	52,765.38	
10-217100	FPPA CONTRIBUTIONS PAYABLE	8,403.98	
10-217200	SOC SEC TAXES PAYABLE	6,933.67	
10-217201	MEDICARE TAXES PAYABLE	2,327.60	
10-217300	FED'L WITHHOLDING TAXES PAYABL	8,298.17	
10-217400	STATE WITHHOLDING TAXES PAYABL	7,532.00	
10-217500	HEALTH INSURANCE PAYABLE	(1,818.64)	
10-217501	PRETAX SUPPLEMENTAL INSURANCE	26.04	
10-217502	AFTER TAX SUPPLEMENTAL INS	154.93	
10-217600	UNEMPLOYMENT INSURANCE PAYABLE	656.08	
10-217601	HEALTH SAVINGS PAYABLE	20.00	
10-217603	WORKERS' COMP. INS. PAYABLE	33,076.88	
10-217700	GARNISHMENT PAYABLE	435.24	
10-219000	457 CONTRIBUTIONS PAYABLE	5,242.15	
10-219200	SALES TAX PAYABLE	103.72	
10-222001	DEFERRED REVENUE - ARPA	303,828.76	
10-250022	LENNAR	2,975.43	
10-250039	SCARLETT CREEK SUBDIVISION	80.04	
10-250041	MAIN STREET STATION	259.21	
10-250047	RITORO PLAT AMENDMENT	(276.25)	
10-250051	HENDERSON REPLAT	461.05	
10-250055	CLEARY BUILDING	(4,673.74)	
10-250056	MCDONALDS IGA	3,404.00	
10-250060	PINE RIDGE CROSSING (NEW)	(4,306.66)	
10-250061	LENNAR AT LEGACY VILLAGE	(14,001.00)	
10-250062	ELIZABETH STREET PLAZA	(475.65)	
10-250063	WALNUT GROVE	7,187.65	
10-250064	MBP ENTERPRISES INC.	742.11	
10-250067	BRAKES PLUS	3,500.00	
10-250068	SPRINT SITE PLAN	500.00	
10-250069	FITZGERALD CONDOMINIUMS	2,000.00	
	TOTAL LIABILITIES		531,972.97

FUND EQUITY

TOWN OF ELIZABETH
BALANCE SHEET
AUGUST 31, 2023

GENERAL FUND

10-280000	FUND BALANCE		2,455,725.59	
	UNAPPROPRIATED FUND BALANCE: REVENUE OVER EXPENDITURES - YTD	<u>830,973.27</u>		
	BALANCE - CURRENT DATE		<u>830,973.27</u>	
	TOTAL FUND EQUITY			<u>3,286,698.86</u>
	TOTAL LIABILITIES AND EQUITY			<u><u>3,818,671.83</u></u>

TOWN OF ELIZABETH
REVENUES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>TAX</u>					
10-31-1000	5,924.51	781,409.68	750,000.00	(31,409.68)	104.2
10-31-2000	11,240.67	82,691.24	115,000.00	32,308.76	71.9
10-31-3100	91,483.69	666,524.98	1,000,000.00	333,475.02	66.7
TOTAL TAX	108,648.87	1,530,625.90	1,865,000.00	334,374.10	82.1
<u>LICENSES & PERMITS</u>					
10-32-1000	5,548.95	94,143.53	80,000.00	(14,143.53)	117.7
10-32-2000	185,794.95	335,273.85	150,000.00	(185,273.85)	223.5
10-32-2100	1,190.00	6,475.00	.00	(6,475.00)	.0
10-32-2200	225.00	1,314.00	.00	(1,314.00)	.0
10-32-2300	.00	6,413.76	.00	(6,413.76)	.0
10-32-3000	2,221.77	28,591.85	30,000.00	1,408.15	95.3
TOTAL LICENSES & PERMITS	194,980.67	472,211.99	260,000.00	(212,211.99)	181.6
<u>INTERGOVERNMENTAL</u>					
10-33-2000	511.68	4,486.94	3,000.00	(1,486.94)	149.6
10-33-3000	.00	7,502.07	10,000.00	2,497.93	75.0
TOTAL INTERGOVERNMENTAL	511.68	11,989.01	13,000.00	1,010.99	92.2
<u>SOURCE 34</u>					
10-34-1000	.00	.00	50,000.00	50,000.00	.0
TOTAL SOURCE 34	.00	.00	50,000.00	50,000.00	.0
<u>EARMARKED FUNDS / MISCELLANEOU</u>					
10-36-1000	16,307.93	101,211.62	8,000.00	(93,211.62)	1265.2
10-36-3100	6,644.90	53,849.13	73,000.00	19,150.87	73.8
10-36-4000	71,276.77	530,636.42	710,000.00	179,363.58	74.7
10-36-7000	1,587.79	20,754.54	35,000.00	14,245.46	59.3
10-36-9000	3,787.79	14,948.03	.00	(14,948.03)	.0
TOTAL EARMARKED FUNDS / MISCELLANEOU	99,605.18	721,399.74	826,000.00	104,600.26	87.3

TOWN OF ELIZABETH
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 8 MONTHS ENDING AUGUST 31, 2023

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>OTHER FUNDS</u>						
10-39-7000	TRANSFER FROM WATER FUND	14,583.33	116,666.64	175,000.00	58,333.36	66.7
10-39-7003	TRANSFER FROM CAP IMP FUND	4,583.33	36,666.64	55,000.00	18,333.36	66.7
10-39-7004	TRANSFER FROM STREET CAP FUND	4,166.67	33,333.36	50,000.00	16,666.64	66.7
TOTAL OTHER FUNDS		23,333.33	186,666.64	280,000.00	93,333.36	66.7
TOTAL FUND REVENUE		427,079.73	2,922,893.28	3,294,000.00	371,106.72	88.7

TOWN OF ELIZABETH
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>TOWN CLERK</u>					
10-41-1100 SALARIES & WAGES	15,637.26	128,167.93	189,000.00	60,832.07	67.8
10-41-1150 TOWN CLERK SALARY	7,081.20	60,512.39	96,800.00	36,287.61	62.5
10-41-1300 OVERTIME	.00	153.49	.00	(153.49)	.0
10-41-1400 WORKERS' COMPENSATION	27.28	226.70	372.00	145.30	60.9
10-41-1500 HEALTH INSURANCE	6,000.91	47,615.20	58,000.00	10,384.80	82.1
10-41-1550 RETIREMENT	1,135.94	9,062.17	8,000.00	(1,062.17)	113.3
10-41-1600 FICA	1,693.32	26,693.09	21,864.00	(4,829.09)	122.1
10-41-1700 COLO UNEMPLOYMENT	45.44	377.64	857.00	479.36	44.1
10-41-1800 TUITION REIMBURSEMENT	1,361.28	5,602.56	10,000.00	4,397.44	56.0
10-41-1825 MEMBERSHIPS - EMPLOYEE	262.38	911.54	1,500.00	588.46	60.8
10-41-1850 TRAINING, TRAVEL AND LODGING	2,354.73	3,858.79	13,000.00	9,141.21	29.7
10-41-2500 AUDIT	.00	26,000.00	28,000.00	2,000.00	92.9
10-41-3000 COMMUNITY ENGAGEMENT	.00	1,635.13	3,400.00	1,764.87	48.1
10-41-3200 CONTRACTED SERVICES	50.00	200.00	5,000.00	4,800.00	4.0
10-41-3320 CONTRIBUTIONS AND SPONSORSHIPS	600.00	1,350.00	3,000.00	1,650.00	45.0
10-41-3350 COUNTY TREASURER & OTHER FEES	125.06	15,647.32	18,000.00	2,352.68	86.9
10-41-3400 LEGAL PUBLICATIONS	176.00	2,069.41	11,000.00	8,930.59	18.8
10-41-3450 ELECTIONS	3,623.24	16,077.77	25,000.00	8,922.23	64.3
10-41-4000 BLDG MAINT AND REPAIRS	1,277.96	1,476.77	12,000.00	10,523.23	12.3
10-41-4400 EQUIPMENT AND MAINT	1,924.73	9,071.83	12,000.00	2,928.17	75.6
10-41-4500 FURNITURE	258.04	769.20	3,500.00	2,730.80	22.0
10-41-4600 OFFICE SUPPLIES	552.40	6,876.85	11,000.00	4,123.15	62.5
10-41-4700 POSTAGE	603.10	4,344.13	15,500.00	11,155.87	28.0
10-41-4800 TELEPHONE AND INTERNET	1,289.37	9,979.81	15,500.00	5,520.19	64.4
10-41-4900 UTILITIES	715.12	4,699.34	8,000.00	3,300.66	58.7
10-41-5100 HUMAN RESOURCES - CONTRACTED	.00	.00	5,000.00	5,000.00	.0
10-41-5250 IT - CONTRACTED	4,334.14	17,925.16	33,000.00	15,074.84	54.3
10-41-5300 IT - HARDWARE	.00	190.08	20,000.00	19,809.92	1.0
10-41-5325 IT - SOFTWARE PURCHASES	.00	.00	2,000.00	2,000.00	.0
10-41-5350 IT - SOFTWARE CONTRACTS	4,258.00	30,082.55	45,000.00	14,917.45	66.9
10-41-5400 INSURANCE	24,180.68	80,827.71	116,000.00	35,172.29	69.7
10-41-5500 LEGAL - CONTRACTED	6,991.24	24,638.63	60,000.00	35,361.37	41.1
10-41-5600 MEMBERSHIPS - TOWN	1,278.22	7,706.97	13,000.00	5,293.03	59.3
10-41-5700 PUBLIC RELATIONS	161.67	3,150.63	5,000.00	1,849.37	63.0
10-41-5800 TOWN HALL EVENTS	.00	.00	8,500.00	8,500.00	.0
10-41-9000 OTHER	5,045.90	8,967.09	7,500.00	(1,467.09)	119.6
TOTAL TOWN CLERK	93,044.61	556,867.88	885,293.00	328,425.12	62.9

TOWN OF ELIZABETH
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>JUDICIAL</u>					
10-42-1200 SALARIES & WAGES- MUNI JUDGE	1,438.53	7,911.90	15,000.00	7,088.10	52.8
10-42-1300 SALARIES & WAGES- ASST JUDGE	.00	2,157.78	4,000.00	1,842.22	53.9
10-42-1400 STATE COMP	40.13	280.94	500.00	219.06	56.2
10-42-1600 FICA	110.05	770.32	1,500.00	729.68	51.4
10-42-1700 COLO UNEMPLOYMENT	2.88	20.16	60.00	39.84	33.6
10-42-1825 MEMBERSHIPS - EMPLOYEE	.00	50.00	.00	(50.00)	.0
10-42-1850 TRAINING, TRAVEL AND LODGING	.00	1,183.94	2,600.00	1,416.06	45.5
10-42-3200 COURT PROSECUTOR - CONTRACTED	750.00	7,647.50	12,000.00	4,352.50	63.7
10-42-9000 OTHER	.00	383.83	1,000.00	616.17	38.4
TOTAL JUDICIAL	2,341.59	20,406.37	36,660.00	16,253.63	55.7
<u>LEGISLATURE</u>					
10-43-1100 BOT - SALARIES & WAGES	1,250.00	9,950.00	14,400.00	4,450.00	69.1
10-43-1200 PC - COMPENSATION	200.00	1,850.00	3,600.00	1,750.00	51.4
10-43-1400 BOT - WORKERS' COMPENSATION	.63	4.42	9.00	4.58	49.1
10-43-1450 PC - WORKERS' COMPENSATION	.15	1.93	2.00	.07	96.5
10-43-1600 BOT - FICA	91.83	757.62	1,102.00	344.38	68.8
10-43-1650 PC - FICA	19.15	145.53	275.00	129.47	52.9
10-43-1700 BOT - COLO UNEMPLOYMENT	2.40	19.20	43.00	23.80	44.7
10-43-1750 PC - COLO UNEMPLOYMENT	.50	4.40	11.00	6.60	40.0
10-43-1850 BOT - TRAIN, TRVL, LODG	.00	140.00	8,000.00	7,860.00	1.8
10-43-3700 PC - TRAIN, TRVL, LODG	.00	1,118.36	4,000.00	2,881.64	28.0
10-43-4400 BOT - EQUIPMENT	.00	.00	2,500.00	2,500.00	.0
10-43-4450 PC - EQUIPMENT	.00	3,212.15	3,000.00	(212.15)	107.1
10-43-5000 BOT - MEALS	236.57	400.14	2,000.00	1,599.86	20.0
10-43-6000 PC - MEALS	24.48	24.48	250.00	225.52	9.8
10-43-9000 BOT- OTHER	.00	261.45	700.00	438.55	37.4
TOTAL LEGISLATURE	1,825.71	17,889.68	39,892.00	22,002.32	44.9

TOWN OF ELIZABETH
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>POLICE</u>					
10-46-1100 SALARIES & WAGES	68,479.95	530,433.00	850,000.00	319,567.00	62.4
10-46-1110 SALARY & BENEFITS - INTERIM	29,237.98	56,491.35	.00	(56,491.35)	.0
10-46-1240 CONTRACTED OVERTIME	.00	2,700.00	8,000.00	5,300.00	33.8
10-46-1300 OVERTIME	3,277.43	15,616.51	15,000.00	(616.51)	104.1
10-46-1400 WORKERS' COMPENSATION	1,867.46	14,182.29	24,324.00	10,141.71	58.3
10-46-1500 HEALTH INSURANCE	15,172.08	117,960.33	195,000.00	77,039.67	60.5
10-46-1550 RETIREMENT	955.77	7,285.57	10,000.00	2,714.43	72.9
10-46-1600 FICA	1,961.25	12,733.34	18,583.00	5,849.66	68.5
10-46-1605 FPPA	7,880.92	59,009.93	80,750.00	21,740.07	73.1
10-46-1700 COLO UNEMPLOYMENT	133.45	1,012.49	2,619.00	1,606.51	38.7
10-46-1825 MEMBERSHIPS - EMPLOYEE	.00	307.02	1,500.00	1,192.98	20.5
10-46-1850 TRAINING, TRAVEL AND LODGING	380.10	8,215.77	15,000.00	6,784.23	54.8
10-46-3000 COMMUNITY OUTREACH	.00	586.41	3,500.00	2,913.59	16.8
10-46-3200 CONTRACTED SERVICES	14,844.56	65,549.57	75,000.00	9,450.43	87.4
10-46-3600 MOBILE DATA LAPTOPS	264.56	2,055.45	5,000.00	2,944.55	41.1
10-46-3625 WEAPONS - LETHAL	.00	113.35	.00	(113.35)	.0
10-46-3650 WEAPONS - NON-LETHAL	5,600.00	5,600.00	6,000.00	400.00	93.3
10-46-3675 OTHER EQUIPMENT	.00	428.07	.00	(428.07)	.0
10-46-4000 BLDG MAINT & REPAIRS	182.05	1,512.25	21,000.00	19,487.75	7.2
10-46-4300 DRUG, SCREEN, PSY & POLY TEST	.00	116.28	4,000.00	3,883.72	2.9
10-46-4400 EQUIPMENT AND MAINTENANCE	2,407.96	5,724.88	12,000.00	6,275.12	47.7
10-46-4500 FURNITURE	.00	2,369.49	5,000.00	2,630.51	47.4
10-46-4650 OFFICE SUPPLILES	555.75	3,811.37	14,000.00	10,188.63	27.2
10-46-4700 POSTAGE	35.51	274.43	1,000.00	725.57	27.4
10-46-4800 TELEPHONE & INTERNET	1,617.40	12,349.33	17,800.00	5,450.67	69.4
10-46-4900 UTILITIES	746.51	3,778.45	7,000.00	3,221.55	54.0
10-46-6400 TRAINING AND AMMUNITION	.00	130.00	3,000.00	2,870.00	4.3
10-46-6600 UNIFORMS	.00	3,817.38	23,000.00	19,182.62	16.6
10-46-8050 VEHICLE MAINT & REPAIRS	482.93	11,319.83	27,500.00	16,180.17	41.2
10-46-8075 FUEL	2,449.30	16,232.44	20,000.00	3,767.56	81.2
10-46-9000 OTHER	26.31	542.97	6,000.00	5,457.03	9.1
10-46-9050 VEHICLE DEPRECIATION	.00	.00	14,640.00	14,640.00	.0
TOTAL POLICE	158,559.23	962,259.55	1,486,216.00	523,956.45	64.8

TOWN OF ELIZABETH
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>PUBLIC WORKS/PARKS/BUILDINGS</u>					
10-49-1100 SALARIES & WAGES	4,234.45	33,602.52	54,856.00	21,253.48	61.3
10-49-1300 OVERTIME	118.02	1,496.97	4,200.00	2,703.03	35.6
10-49-1400 WORKERS' COMPENSATION	125.08	1,152.95	2,300.00	1,147.05	50.1
10-49-1500 HEALTH INSURANCE	1,109.72	8,037.21	11,000.00	2,962.79	73.1
10-49-1550 RETIREMENT	123.17	960.97	2,000.00	1,039.03	48.1
10-49-1600 FICA	325.63	2,614.76	4,518.00	1,903.24	57.9
10-49-1700 COLO UNEMPLOYMENT	8.74	70.46	177.00	106.54	39.8
10-49-1850 TRAINING, TRAVEL AND LODGING	.00	.00	150.00	150.00	.0
10-49-4000 BLDG MAINT & REPAIRS	1,343.64	5,076.01	20,000.00	14,923.99	25.4
10-49-4800 TELEPHONE AND CELLPHONES	380.01	2,389.27	4,800.00	2,410.73	49.8
10-49-4900 UTILITIES	303.79	5,243.53	8,000.00	2,756.47	65.5
10-49-6100 PARKS MAINTENANCE	748.63	11,186.33	35,000.00	23,813.67	32.0
10-49-6300 PARTS AND REPAIRS	5.92	690.23	8,000.00	7,309.77	8.6
10-49-6500 TREE CITY USA	.00	.00	2,500.00	2,500.00	.0
10-49-6600 UNIFORMS	40.11	181.63	840.00	658.37	21.6
10-49-8050 VEHICLE MAINT & REPAIRS	2.97	574.12	3,000.00	2,425.88	19.1
10-49-8075 FUEL	194.67	1,358.14	3,000.00	1,641.86	45.3
10-49-8080 DIESEL	18.58	442.65	1,200.00	757.35	36.9
10-49-9000 OTHER	4.91	138.01	2,500.00	2,361.99	5.5
10-49-9050 VEHICLE DEPRECIATION	.00	.00	2,448.00	2,448.00	.0
TOTAL PUBLIC WORKS/PARKS/BUILDINGS	9,088.04	75,215.76	170,489.00	95,273.24	44.1
<u>TWN ADMINSTR</u>					
10-52-1100 SALARIES & WAGES	12,346.16	105,506.84	160,500.00	54,993.16	65.7
10-52-1400 WORKERS' COMPENSATION	14.82	126.65	193.00	66.35	65.6
10-52-1500 HEALTH INSURANCE	2,174.29	2,174.29	13,000.00	10,825.71	16.7
10-52-1550 RETIREMENT	200.00	600.00	4,500.00	3,900.00	13.3
10-52-1600 FICA	922.14	8,052.74	12,278.00	4,225.26	65.6
10-52-1700 COLO UNEMPLOYMENT	24.70	211.08	482.00	270.92	43.8
10-52-1850 TRAINING, TRAVEL AND LODGING	.00	.00	2,500.00	2,500.00	.0
10-52-1900 ALLOWANCES	.00	3,900.00	3,900.00	.00	100.0
10-52-3900 CELL PHONES	100.00	550.00	1,200.00	650.00	45.8
TOTAL TWN ADMINSTR	15,782.11	121,121.60	198,553.00	77,431.40	61.0

TOWN OF ELIZABETH
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>COMM DEV</u>					
10-53-1100 SALARIES & WAGES- COMM DEV	16,741.63	125,903.31	226,000.00	100,096.69	55.7
10-53-1300 OVERTIME COMMUNITY DEVELOPMENT	.00	103.50	500.00	396.50	20.7
10-53-1400 WORKERS' COMPENSATION	20.08	151.15	271.00	119.85	55.8
10-53-1500 HEALTH INSURANCE	3,971.21	30,287.67	34,000.00	3,712.33	89.1
10-53-1550 RETIREMENT	564.48	4,440.43	7,000.00	2,559.57	63.4
10-53-1600 FICA	1,253.78	9,403.72	17,289.00	7,885.28	54.4
10-53-1700 COLO UNEMPLOYMENT	33.48	251.88	680.00	428.12	37.0
10-53-1825 MEMBERSHIPS - EMPLOYEE	693.00	753.00	1,400.00	647.00	53.8
10-53-1850 TRAINING, TRAVEL AND LODGING	113.48	1,016.58	7,000.00	5,983.42	14.5
10-53-2500 COMMUNITY EVENTS	1,796.93	31,702.94	60,000.00	28,297.06	52.8
10-53-3000 BUILDING PERMITS	14,141.28	87,132.82	115,000.00	27,867.18	75.8
10-53-3200 CONTRACTED SERVICES	681.25	15,237.13	30,000.00	14,762.87	50.8
10-53-3425 ELIZABETH MAIN STREET	2,792.39	13,601.77	33,000.00	19,398.23	41.2
10-53-3450 HISTORIC ADVISORY BOARD	6,004.47	8,814.63	37,000.00	28,185.37	23.8
10-53-3475 MARKETING MATERIALS & PUBL	984.50	3,414.84	5,000.00	1,585.16	68.3
10-53-3900 CELL PHONE	75.00	462.50	1,000.00	537.50	46.3
10-53-4000 GIS	.00	.00	800.00	800.00	.0
10-53-4400 EQUIPMENT AND MAINTENANCE	614.00	3,951.81	1,500.00	(2,451.81)	263.5
10-53-4500 FURNITURE	.00	339.96	750.00	410.04	45.3
10-53-4600 OFFICE SUPPLIES	.00	393.93	2,000.00	1,606.07	19.7
10-53-4700 POSTAGE	.00	.00	2,500.00	2,500.00	.0
10-53-9000 OTHER	.00	795.60	500.00	(295.60)	159.1
TOTAL COMM DEV	50,480.96	338,159.17	583,190.00	245,030.83	58.0
TOTAL FUND EXPENDITURES	331,122.25	2,091,920.01	3,400,293.00	1,308,372.99	61.5
NET REVENUE OVER EXPENDITURES	95,957.48	830,973.27	(106,293.00)	(937,266.27)	781.8

TOWN OF ELIZABETH
BALANCE SHEET
AUGUST 31, 2023

STREET FUND

ASSETS

21-100001	CASH IN COMBINED CASH FUND	985,906.03	
21-115000	ACCOUNTS RECEIVABLE	39,689.54	
	TOTAL ASSETS		1,025,595.57

LIABILITIES AND EQUITY

LIABILITIES

21-201000	ACCRUED SALARIES PAYABLE	6,193.59	
21-202000	ACCOUNTS PAYABLE	(1,107.45)	
21-203000	GUARDRAIL MAINTENANCE	10,000.00	
	TOTAL LIABILITIES		15,086.14

FUND EQUITY

21-280000	FUND BALANCE	955,344.99	
	UNAPPROPRIATED FUND BALANCE: REVENUE OVER EXPENDITURES - YTD	55,164.44	
	BALANCE - CURRENT DATE	55,164.44	
	TOTAL FUND EQUITY		1,010,509.43
	TOTAL LIABILITIES AND EQUITY		1,025,595.57

TOWN OF ELIZABETH
REVENUES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2023

STREET FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>TAXES</u>					
21-31-3000 GENERAL SALES TAX	13,722.55	99,978.73	150,000.00	50,021.27	66.7
21-31-4000 USE TAX	7,958.43	21,286.19	10,000.00	(11,286.19)	212.9
TOTAL TAXES	21,680.98	121,264.92	160,000.00	38,735.08	75.8
<u>INTERGOVERNMENT</u>					
21-33-1000 HIGHWAY USERS TAX	7,439.56	50,757.53	60,000.00	9,242.47	84.6
21-33-1050 ROAD & BRIDGE	.00	87,449.82	150,000.00	62,550.18	58.3
21-33-6100 M.V. REGISTRATION (\$1.50)	297.55	2,123.92	5,000.00	2,876.08	42.5
21-33-6200 M.V. REGISTRATION (\$2.50)	684.17	4,769.39	7,200.00	2,430.61	66.2
TOTAL INTERGOVERNMENT	8,421.28	145,100.66	222,200.00	77,099.34	65.3
<u>OTHER SOURCES OF REVENUE</u>					
21-36-1000 INVESTMENT INCOME	4,314.98	29,623.85	4,000.00	(25,623.85)	740.6
21-36-4000 PUBLIC IMPROVEMENT FEE	2,128.76	15,848.05	22,000.00	6,151.95	72.0
TOTAL OTHER SOURCES OF REVENUE	6,443.74	45,471.90	26,000.00	(19,471.90)	174.9
TOTAL FUND REVENUE	36,546.00	311,837.48	408,200.00	96,362.52	76.4

TOWN OF ELIZABETH
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2023

STREET FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>STREETS</u>					
21-49-1100 SALARIES & WAGES- PUB WORKS	12,703.35	100,807.89	164,567.00	63,759.11	61.3
21-49-1300 OVERTIME	354.06	4,490.89	13,000.00	8,509.11	34.6
21-49-1400 WORKERS' COMPENSATION	375.24	3,458.77	6,900.00	3,441.23	50.1
21-49-1500 HEALTH INSURANCE	3,329.12	24,111.66	38,000.00	13,888.34	63.5
21-49-1550 RETIREMENT	369.51	2,882.78	5,000.00	2,117.22	57.7
21-49-1600 FICA	976.84	7,877.68	13,584.00	5,706.32	58.0
21-49-1700 COLO UNEMPLOYMENT	26.10	211.03	533.00	321.97	39.6
21-49-3200 CONTRACTED SERVICES	4,279.19	17,329.70	70,000.00	52,670.30	24.8
21-49-3500 DE-ICING SUPPLIES	.00	1,721.28	7,500.00	5,778.72	23.0
21-49-3650 LIGHTS AND SIGNALS	2,870.07	17,370.91	18,000.00	629.09	96.5
21-49-4000 MAINTENANCE AND REPAIRS	7,597.41	34,086.20	100,000.00	65,913.80	34.1
21-49-4800 PHONES	202.50	1,147.50	2,700.00	1,552.50	42.5
21-49-5800 ROW MAINTENANCE	.00	33,149.89	105,000.00	71,850.11	31.6
21-49-6100 SIGNS	.00	.00	21,500.00	21,500.00	.0
21-49-6600 UNIFORMS	120.34	544.93	2,520.00	1,975.07	21.6
21-49-8050 VEHICLE MAINT & REPAIRS	8.90	1,722.41	9,000.00	7,277.59	19.1
21-49-8075 FUEL	585.64	4,077.42	9,000.00	4,922.58	45.3
21-49-8080 DIESEL	55.71	1,430.61	3,600.00	2,169.39	39.7
21-49-9000 OTHER	14.74	251.49	500.00	248.51	50.3
21-49-9050 VEHICLE DEPRECIATION	.00	.00	7,344.00	7,344.00	.0
TOTAL STREETS	33,868.72	256,673.04	598,248.00	341,574.96	42.9
TOTAL FUND EXPENDITURES	33,868.72	256,673.04	598,248.00	341,574.96	42.9
NET REVENUE OVER EXPENDITURES	2,677.28	55,164.44	(190,048.00)	(245,212.44)	29.0

TOWN OF ELIZABETH
 BALANCE SHEET
 AUGUST 31, 2023

CAPITAL IMPROVEMENT FUND

ASSETS

31-100001	CASH IN COMBINED CASH FUND	9,231,724.16	
31-115000	ACCOUNTS RECEIVABLE	269,780.77	
		<u> </u>	
	TOTAL ASSETS		<u>9,501,504.93</u>

LIABILITIES AND EQUITY

FUND EQUITY

31-280000	FUND BALANCE	8,635,236.16	
	UNAPPROPRIATED FUND BALANCE:		
	REVENUE OVER EXPENDITURES - YTD	866,268.77	
		<u> </u>	
	BALANCE - CURRENT DATE	866,268.77	
		<u> </u>	
	TOTAL FUND EQUITY		<u>9,501,504.93</u>
	TOTAL LIABILITIES AND EQUITY		<u>9,501,504.93</u>

TOWN OF ELIZABETH
REVENUES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2023

CAPITAL IMPROVEMENT FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>TAX</u>						
31-31-3000	SALES TAX	137,225.54	999,787.47	1,500,000.00	500,212.53	66.7
31-31-4000	USE TAX	79,584.34	212,861.94	150,000.00	(62,861.94)	141.9
	TOTAL TAX	216,809.88	1,212,649.41	1,650,000.00	437,350.59	73.5
<u>OTHER FINANCING SOURCES</u>						
31-36-1000	INVESTMENT INCOME	41,354.10	277,297.74	15,000.00	(262,297.74)	1848.7
31-36-9000	OTHER REVENUE	39,480.00	73,936.50	50,000.00	(23,936.50)	147.9
	TOTAL OTHER FINANCING SOURCES	80,834.10	351,234.24	65,000.00	(286,234.24)	540.4
	TOTAL FUND REVENUE	297,643.98	1,563,883.65	1,715,000.00	151,116.35	91.2

TOWN OF ELIZABETH
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2023

CAPITAL IMPROVEMENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>CAPITAL IMPROVEMENT MISC</u>					
31-80-0100 LAND PURCHASE	399,311.49	399,311.49	250,000.00	(149,311.49)	159.7
31-80-0600 RUNNING CREEK PARK	.00	20,549.29	119,900.00	99,350.71	17.1
31-80-3400 FACILITIES MASTER PLAN	.00	13,587.70	75,000.00	61,412.30	18.1
31-80-3425 COMMUNITY STUDIES	.00	34,888.11	.00	(34,888.11)	.0
31-80-3450 SENIOR CENTER	.00	.00	450,000.00	450,000.00	.0
31-80-4000 EQUIPMENT	.00	5,800.00	15,000.00	9,200.00	38.7
31-80-4005 HYDRO-VAC TRAILER	.00	.00	22,500.00	22,500.00	.0
31-80-4010 WHEELED TIRE LOADER (USED)	.00	20,000.00	37,500.00	17,500.00	53.3
31-80-4015 PW TRUCKS	.00	64,976.08	111,290.00	46,313.92	58.4
31-80-5500 TOWN HALL BLDG IMPROVEMENTS	.00	.00	100,000.00	100,000.00	.0
31-80-5505 PD BUILDING IMPROVEMENTS	.00	.00	75,000.00	75,000.00	.0
31-80-5510 BANNER & ELM PROPERTY	48,120.70	73,835.57	150,000.00	76,164.43	49.2
31-80-5515 COMMUNITY GARDEN	.00	.00	25,000.00	25,000.00	.0
31-80-6000 PLAYGROUND UPGRADES	.00	.00	65,000.00	65,000.00	.0
31-80-6500 TRAIL SYSTEMS	28,000.00	28,000.00	4,500.00	(23,500.00)	622.2
31-80-9100 TOWN HALL LANDSCAPING	.00	.00	5,000.00	5,000.00	.0
31-80-9900 TRANSFER TO WATER FUND	.00	.00	3,500.00	3,500.00	.0
31-80-9901 TRANSFER TO GENERAL FUND	4,583.33	36,666.64	55,000.00	18,333.36	66.7
TOTAL CAPITAL IMPROVEMENT MISC	480,015.52	697,614.88	1,564,190.00	866,575.12	44.6
TOTAL FUND EXPENDITURES	480,015.52	697,614.88	1,564,190.00	866,575.12	44.6
NET REVENUE OVER EXPENDITURES	(182,371.54)	866,268.77	150,810.00	(715,458.77)	574.4

TOWN OF ELIZABETH
BALANCE SHEET
AUGUST 31, 2023

STREET CAPITAL IMPROVEMENT FND

<u>ASSETS</u>			
32-100001	CASH IN COMBINED CASH FUND	3,962,080.98	
32-104400	STREET BOND RESERVE CD ACCOUNT	264,992.00	
32-115000	ACCOUNTS RECEIVABLE	242,802.70	
	TOTAL ASSETS		4,469,875.68
<u>LIABILITIES AND EQUITY</u>			
<u>LIABILITIES</u>			
32-222000	DEFERRED REVENUE	11,500.00	
	TOTAL LIABILITIES		11,500.00
<u>FUND EQUITY</u>			
32-280000	FUND BALANCE	3,375,057.02	
	UNAPPROPRIATED FUND BALANCE: REVENUE OVER EXPENDITURES - YTD	1,083,318.66	
	BALANCE - CURRENT DATE	1,083,318.66	
	TOTAL FUND EQUITY		4,458,375.68
	TOTAL LIABILITIES AND EQUITY		4,469,875.68

TOWN OF ELIZABETH
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 8 MONTHS ENDING AUGUST 31, 2023

STREET CAPITAL IMPROVEMENT FND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>TAX</u>					
32-31-3000 GENERAL SALES TAX	123,502.99	899,808.70	1,350,000.00	450,191.30	66.7
32-31-4000 USE TAX	71,625.91	191,575.75	192,000.00	424.25	99.8
TOTAL TAX	195,128.90	1,091,384.45	1,542,000.00	450,615.55	70.8
<u>OTHER FINANCING SOURCES</u>					
32-36-1000 INVESTMENT INCOME	17,751.35	113,545.07	10,000.00	(103,545.07)	1135.5
TOTAL OTHER FINANCING SOURCES	17,751.35	113,545.07	10,000.00	(103,545.07)	1135.5
TOTAL FUND REVENUE	212,880.25	1,204,929.52	1,552,000.00	347,070.48	77.6

TOWN OF ELIZABETH
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2023

STREET CAPITAL IMPROVEMENT FND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>CAPITAL OUTLAY</u>					
32-49-6600 RIGHT OF WAY EASEMENTS	.00	.00	35,000.00	35,000.00	.0
32-49-8000 STREET PAVING	.00	.00	160,000.00	160,000.00	.0
32-49-9000 CONCRETE STREET REPAIRS	.00	.00	310,000.00	310,000.00	.0
32-49-9100 EQUIPMENT	.00	.00	300,000.00	300,000.00	.0
32-49-9101 ROTOMILL	.00	.00	1,400,000.00	1,400,000.00	.0
32-49-9105 HYDRO-VAC TRAILER	.00	.00	22,500.00	22,500.00	.0
32-49-9110 WHEELED TIRE LOADER (USED)	.00	20,000.00	37,500.00	17,500.00	53.3
32-49-9200 CURB & GUTTER WORK	.00	.00	20,000.00	20,000.00	.0
32-49-9300 SIDEWALK REPLACEMENT PROGRAM	.00	25,000.00	40,000.00	15,000.00	62.5
32-49-9305 MAIN ST STREETScape DESIGN	6,717.50	10,146.25	175,000.00	164,853.75	5.8
32-49-9310 TRANSFER TO GENERAL FUND	4,166.67	33,333.36	50,000.00	16,666.64	66.7
TOTAL CAPITAL OUTLAY	10,884.17	88,479.61	2,550,000.00	2,461,520.39	3.5
<u>DEBT SVC</u>					
32-59-4000 PAYING AGENCY FEE	.00	.00	600.00	600.00	.0
32-59-9800 2015 REFUNDING BOND PRINCIPAL	.00	.00	440,000.00	440,000.00	.0
32-59-9850 2015 REFUNDING BOND INTEREST	.00	33,131.25	66,263.00	33,131.75	50.0
TOTAL DEBT SVC	.00	33,131.25	506,863.00	473,731.75	6.5
TOTAL FUND EXPENDITURES	10,884.17	121,610.86	3,056,863.00	2,935,252.14	4.0
NET REVENUE OVER EXPENDITURES	201,996.08	1,083,318.66	(1,504,863.00)	(2,588,181.66)	72.0

TOWN OF ELIZABETH
 BALANCE SHEET
 AUGUST 31, 2023

WATER SEWER FUND

ASSETS

52-100001	CASH IN COMBINED CASH FUND	4,021,817.93	
52-101000	PETTY CASH	100.00	
52-101200	COLOTRUST WATER TAP FEE ACCT	511,013.84	
52-101300	COLOTRUST SEWER TAP FEE ACCT	511,013.84	
52-101400	COLOTRUST RENEWABLE WATER ACCT	78,916.73	
52-110000	ACCOUNTS RECEIVABLE: UB	161,941.53	
52-115000	ACCOUNTS RECEIVABLE:OTHER	12,734.83	
52-160100	LAND: WATER	171,737.60	
52-160200	LAND: SEWER	143,729.50	
52-161100	EASEMENTS: WATER	10,890.77	
52-161200	EASEMENTS: SEWER	32,271.26	
52-162100	PLANT & EQUIPMENT: WATER	2,271,315.79	
52-162200	PLANT & EQUIPMENT: SEWER	6,013,924.47	
52-163100	WATER IMPROVEMENTS	2,288,597.77	
52-163200	SEWER IMPROVEMENTS	2,727,573.38	
52-165100	CONSTRUCTION IN PROGRESS: WTR	3,082,422.50	
52-165200	CONSTRUCTION IN PROGRESS: SWR	73,176.80	
52-169100	ACCUMULATED DEP: WATER	(2,856,813.48)	
52-169200	ACCUMULATED DEP: SEWER	(4,109,283.34)	
	TOTAL ASSETS		15,147,081.72

LIABILITIES AND EQUITY

LIABILITIES

52-201000	ACCRUED SALARIES PAYABLE	12,387.29	
52-202000	ACCOUNTS PAYABLE	267.25	
52-203000	RETAINAGE PAYABLE	111,428.14	
52-215200	ACCRUED INT PAY: SEWER	2,103.20	
52-218000	COMPENSATED ABSENCES PAYABLE	14,582.02	
52-218100	COMP ABSENCES- CURRENT PAYABLE	1,458.20	
52-220000	CUSTOMER METER DEPOSITS	51,248.76	
52-231200	2007 CWRPDA CUR NOTES PAYABLE	62,396.58	
52-239402	2007 CWRPDA NOTE PAYABLE	275,161.86	
	TOTAL LIABILITIES		531,033.30

FUND EQUITY

52-280000	RETAINED EARNINGS	13,779,786.34	
	UNAPPROPRIATED FUND BALANCE:		
	REVENUE OVER EXPENDITURES - YTD	836,262.08	
	BALANCE - CURRENT DATE	836,262.08	
	TOTAL FUND EQUITY		14,616,048.42
	TOTAL LIABILITIES AND EQUITY		15,147,081.72

TOWN OF ELIZABETH
REVENUES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2023

WATER SEWER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>CHARGE FOR SERVICES / TAP FEES</u>					
52-34-4100 WATER SALES	83,262.54	495,702.24	750,000.00	254,297.76	66.1
52-34-4200 SEWER SALES	67,183.32	531,228.68	680,000.00	148,771.32	78.1
52-34-7000 RETURN CHECK CHARGES	.00	109.07	.00	(109.07)	.0
52-34-8100 WATER TAP FEES	344,039.93	630,086.57	250,000.00	(380,086.57)	252.0
52-34-8120 RENEWABLE WATER FEE	47,304.81	63,829.50	.00	(63,829.50)	.0
52-34-8200 SEWER TAP FEES	344,039.93	630,086.57	450,000.00	(180,086.57)	140.0
TOTAL CHARGE FOR SERVICES / TAP FEES	885,830.53	2,351,042.63	2,130,000.00	(221,042.63)	110.4
<u>MISCELLANEOUS</u>					
52-36-1000 INVESTMENT INCOME	19,495.21	138,020.55	10,000.00	(128,020.55)	1380.2
52-36-9000 OTHER REVENUE	3,143.61	44,054.51	70,000.00	25,945.49	62.9
TOTAL MISCELLANEOUS	22,638.82	182,075.06	80,000.00	(102,075.06)	227.6
TOTAL FUND REVENUE	908,469.35	2,533,117.69	2,210,000.00	(323,117.69)	114.6

TOWN OF ELIZABETH
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2023

WATER SEWER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>WATER</u>					
52-57-1100 SALARIES & WAGES- WATER	12,703.63	100,808.19	164,567.00	63,758.81	61.3
52-57-1300 OVERTIME	354.05	4,490.87	13,000.00	8,509.13	34.6
52-57-1400 WORKERS' COMPENSATION	375.28	3,458.71	6,900.00	3,441.29	50.1
52-57-1500 HEALTH INSURANCE	3,329.23	24,111.79	38,000.00	13,888.21	63.5
52-57-1550 RETIREMENT	369.51	2,882.77	5,000.00	2,117.23	57.7
52-57-1600 FICA	976.87	7,877.70	165,561.00	157,683.30	4.8
52-57-1700 COLO UNEMPLOYMENT	26.10	211.03	533.00	321.97	39.6
52-57-1825 MEMBERSHIPS - EMPLOYEE	.00	300.00	900.00	600.00	33.3
52-57-1850 TRAINING, TRAVEL AND LODGING	.00	.00	1,325.00	1,325.00	.0
52-57-3200 CONTRACTED SERVICES	20,792.14	30,921.37	160,000.00	129,078.63	19.3
52-57-4800 TELEPHONE AND CELLPHONES	202.50	1,147.50	2,700.00	1,552.50	42.5
52-57-4900 UTILITIES	9,936.11	68,229.96	100,000.00	31,770.04	68.2
52-57-5400 INSURANCE	2,709.92	5,618.06	11,000.00	5,381.94	51.1
52-57-5500 LEGAL - CONTRACTED	80.00	80.00	7,500.00	7,420.00	1.1
52-57-6000 MAINTENANCE AND REPAIRS	11,386.09	57,607.53	150,000.00	92,392.47	38.4
52-57-6600 UNIFORMS	120.34	544.92	2,500.00	1,955.08	21.8
52-57-7500 CHEMICAL SUPPLIES	3,926.80	17,781.82	18,000.00	218.18	98.8
52-57-7550 WATER SUPPLIES	1,473.09	8,127.18	15,000.00	6,872.82	54.2
52-57-8050 VEHICLE MAINT & REPAIRS	8.90	1,857.99	9,000.00	7,142.01	20.6
52-57-8075 FUEL	585.64	4,130.41	9,000.00	4,869.59	45.9
52-57-8080 DIESEL	55.71	1,345.03	3,600.00	2,254.97	37.4
52-57-9000 OTHER	14.74	251.49	2,000.00	1,748.51	12.6
52-57-9050 VEHICLE DEPRECIATION	.00	.00	7,344.00	7,344.00	.0
52-57-9100 RITORO WELLS	.00	566,340.53	1,300,000.00	733,659.47	43.6
52-57-9900 WATER LINE UPGRADE	.00	.00	85,000.00	85,000.00	.0
TOTAL WATER	69,426.65	908,124.85	2,278,430.00	1,370,305.15	39.9

TOWN OF ELIZABETH
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2023

WATER SEWER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	OVER/UNDER BU	PCNT
<u>SEWER</u>					
52-58-1100 -SALARIES & WAGES- SEWER	12,703.63	100,807.64	164,567.00	63,759.36	61.3
52-58-1300 OVERTIME	354.05	4,490.87	13,000.00	8,509.13	34.6
52-58-1400 WORKERS' COMPENSATION	375.28	3,458.38	6,900.00	3,441.62	50.1
52-58-1500 HEALTH INSURANCE	3,329.18	24,111.29	38,000.00	13,888.71	63.5
52-58-1550 RETIREMENT	369.55	2,883.23	5,000.00	2,116.77	57.7
52-58-1600 FICA	976.88	7,877.70	13,584.00	5,706.30	58.0
52-58-1700 COLO UNEMPLOYMENT	36.19	293.31	533.00	239.69	55.0
52-58-1825 MEMBERSHIPS - EMPLOYEE	.00	.00	900.00	900.00	.0
52-58-1850 TRAINING, TRAVEL AND LODGING	.00	.00	1,325.00	1,325.00	.0
52-58-3200 CONTRACTED SERVICES	19,733.69	69,909.18	90,000.00	20,090.82	77.7
52-58-4800 TELEPHONE AND CELLPHONES	1,168.34	6,154.07	10,700.00	4,545.93	57.5
52-58-4900 UTILITIES	5,784.84	38,427.84	70,000.00	31,572.16	54.9
52-58-5400 INSURANCE	3,001.25	6,200.72	15,400.00	9,199.28	40.3
52-58-6000 MAINTENANCE AND REPAIRS	7,981.33	55,359.28	130,000.00	74,640.72	42.6
52-58-6610 UNIFORMS	120.34	544.92	2,500.00	1,955.08	21.8
52-58-7500 SEWER SUPPLIES	735.11	2,874.60	5,000.00	2,125.40	57.5
52-58-8050 VEHICLE MAINT & REPAIRS	8.90	1,586.83	9,000.00	7,413.17	17.6
52-58-8075 FUEL	585.64	4,130.41	9,000.00	4,869.59	45.9
52-58-8080 DIESEL	55.71	1,310.83	3,600.00	2,289.17	36.4
52-58-9000 OTHER	14.74	251.50	5,000.00	4,748.50	5.0
52-58-9050 VEHICLE DEPRECIATION	.00	.00	7,344.00	7,344.00	.0
52-58-9400 WTP UPGRADES	13,774.00	304,173.40	950,000.00	645,826.60	32.0
TOTAL SEWER	71,108.65	634,846.00	1,551,353.00	916,507.00	40.9
<u>2007 CWRPDA</u>					
52-63-6300 2007 CWRPDA PYMT- PRINCIPAL	.00	30,908.52	62,398.00	31,489.48	49.5
52-63-6400 2007 CWRPDA- INTEREST	.00	6,309.60	12,100.00	5,790.40	52.2
TOTAL 2007 CWRPDA	.00	37,218.12	74,498.00	37,279.88	50.0
<u>DEPARTMENT 65</u>					
52-65-9900 TRANSFER TO GENERAL FUND	14,583.33	116,666.64	175,000.00	58,333.36	66.7
TOTAL DEPARTMENT 65	14,583.33	116,666.64	175,000.00	58,333.36	66.7
TOTAL FUND EXPENDITURES	155,118.63	1,696,855.61	4,079,281.00	2,382,425.39	41.6
NET REVENUE OVER EXPENDITURES	753,350.72	836,262.08	(1,869,281.00)	(2,705,543.08)	44.7



TOWN OF ELIZABETH POLICE DEPARTMENT

JEFF ENGEL, CHIEF OF POLICE

Elizabeth Police Department Activity Statistics Report

Reporting Period:

10/01/2023 to 10/14/2023



ELIZABETH POLICE DEPARTMENT'S MISSION STATEMENT:

“To provide a leadership role in creating an atmosphere of safety and community pride in the Town of Elizabeth by providing quality law enforcement services which utilize innovative approaches to address community needs”.

The following is an informational breakdown of EPD police activity from **10/01/2023 at 12:01 a.m. to 10/14/2023 at 11:59 p.m.** This information is compiled from our Records Management System (RMS), identified as New World (NW), as well as Douglas County Regional Dispatch (DRDC) records.

All suspects/defendants are presumed innocent until proven guilty in a Court of Law.



TOWN OF ELIZABETH POLICE DEPARTMENT

JEFF ENGEL, CHIEF OF POLICE

Elizabeth Police Department Activity Statistics Report

Reporting Period:

10/01/2023 to 10/14/2023

Total Calls for Service:

195

Traffic Stops:

Total Stops:	Penalty Assessments:	Written Warnings:	Verbal Warnings:	Assists to Other Agencies
39	12	23	1	3

Parking Violations:

Total Parking Violations:	Parking Citations:	Parking Written Warnings:	Parking Verbal Warnings:
7	3	3	1

Other Calls for Service:

Call Type:	Number of Calls:
911 Landline	1
911 Rapid SOS	2
Alarm-Business Burglary	2
Alarm-Residential Panic	1
Animal Barking	1
Animal Complaint	2
Assist to the Fire Department	1
Assist to Other Agency	4
Attempt to Contact	1
Business Check	7
Burglary	1
Child Abuse	1



TOWN OF ELIZABETH POLICE DEPARTMENT

JEFF ENGEL, CHIEF OF POLICE

Elizabeth Police Department Activity Statistics Report

Reporting Period:

10/01/2023 to 10/14/2023

Citizen Assist	4
Citizen Contact	6
Civil Assist	2
Crime Prevention	1
Dead Animal	1
Disturbance	3
Follow Up	18
Found Person	1
Found Property	1
Fraud	1
Harassment	5
Increased Patrol	29
Informational Report	2
Medical Assist	5
Motorist Assist	4
Municipal Ordinance Violation	10
Motor Vehicle Crash with Unknown Injuries	1
Park Check	1
Parking Complaint	7
Restraining Order Violation	1
Special Assignment	2
Suspicious Circumstance	4
Suspicious Person	1
Suspicious Vehicle	8
Theft	2
Traffic Complaint	1
Traffic Hazard	2
Traffic Stop	39
Unknown Trouble	1
VIN Verify	7
Warrant Pickup	1



TOWN OF ELIZABETH POLICE DEPARTMENT

JEFF ENGEL, CHIEF OF POLICE

Elizabeth Police Department Activity Statistics Report

Reporting Period:

10/01/2023 to 10/14/2023

Open Patrol Division Criminal Investigations:

Case Number:	Call Type:	Details:
23-2040	Burglary	Investigation of a burglary at a local business.
23-2917	Death	Investigation into an unattended death.
23-4364	Sex Offense	Investigation into a sex offense involving minors.
23-4444	Motor Vehicle Accident	Investigation of a hit and run accident in Town.
23-4635	Burglary and Criminal Mischief	Investigation of a burglary at a residence.
23-4774	Burglary	Investigation of a burglary at a local business.
23-4864	Theft	Investigation of theft that occurred at a business in Town.
23-4866	Financial Crimes	Investigation of fraud.
23-4941	Harassment	Investigation into harassment involving juveniles.
23-4953	Harassment	Investigation into harassment involving juveniles.
23-4972	Burglary	Investigation of a burglary of a residence.
23-7981	Harassment	Investigation into harassment involving juveniles.



TOWN OF ELIZABETH POLICE DEPARTMENT

JEFF ENGEL, CHIEF OF POLICE

Elizabeth Police Department Activity Statistics Report

Reporting Period:

10/01/2023 to 10/14/2023

Open Community Services Division Municipal Ordinance Violations:

Case Number:	Call Type:	Notes:
23-3106	Weed Control	Investigation of weed control on a property in Town.
23-4373	Animal Complaint	Investigation into animal offenses at a residence in Town.
23-4873	Animal Complaint	Investigation into animal offenses at a residence in Town.
23-4802	Animal Complaint	Investigation into animal offenses at a residence in Town.

Please note that limited information regarding open investigations is available. This is to protect the integrity of the investigations.



TOWN OF ELIZABETH POLICE DEPARTMENT

JEFF ENGEL, CHIEF OF POLICE

Elizabeth Police Department Activity Statistics Report

Reporting Period:

10/01/2023 to 10/14/2023

Closed Case/Incident Reports:

Case/Incident Number:	Call Type:	Details:
23-4814	Driving Under the Influence	EPD responded to a serious motor vehicle crash. The driver was transported to the hospital. After investigation, it was determined the driver was under the influence of alcohol. The driver received a state summons for several traffic offenses.
23-4810	Child Custody	EPD responded to a child custody dispute. After investigation, no crime was found. The Department of Human Services was notified, and both parents were advised of their civil remedies.
23-2421	Municipal Ordinance Violation	EPD concluded an investigation into a property that was in violation of Town code. After working with the owner, the property came into compliance.
23-4686	Harassment	EPD responded to harassment between juveniles. After investigation, there was not probable cause to support criminal charges.
23-3265	Child Abuse	EPD concluded an investigation into reported child abuse. The suspect was arrested pending felony charges.
23-4362	Weed Control	EPD Community Services responded to a complaint of overgrown weeds. After working with the property owner, the property is now in compliance.
23-4458	Weed Control	EPD Community Services responded to a complaint of overgrown weeds. After working with the property owner, the property is now in compliance.
23-4459	Weed Control	EPD Community Services responded to a complaint of overgrown weeds. After working



TOWN OF ELIZABETH POLICE DEPARTMENT

JEFF ENGEL, CHIEF OF POLICE

Elizabeth Police Department Activity Statistics Report

Reporting Period:

10/01/2023 to 10/14/2023

		with the property owner, the property is now in compliance.
23-4571	Municipal Ordinance Violation	EPD Community Services responded to a complaint of an unattached trailer. After working with the property owner, the property is now in compliance.
23-4592	Sign Code	EPD Community Services responded to a complaint of a sign that was illegally posted on a utility pole. After working with the owner, they came into compliance.
23-4730	Weed Control	EPD Community Services responded to a complaint of overgrown weeds. After working with the property owner, the property is now in compliance.
23-4813	Driving Under the Influence	EPD responded to a report of an intoxicated subject. The subject then entered a vehicle and drove away from the scene. A traffic stop was initiated, and the suspect was subsequently arrested for several traffic violations.
23-4882	Curfew Violation	EPD contacted three (3) juveniles that were at large after curfew. All juveniles were issued municipal summonses.
23-4944	Warrant Arrest	EPD responded to EPD on report of a juvenile suspect who had a warrant for their arrest. After the warrant was confirmed, the juvenile was fingerprinted and released to their guardian.
23-4245	Weed Control	EPD Community Services responded to a complaint of overgrown weeds. After working with the property owner, the property is now in compliance.
23-4946	Restraining Order Violation	EPD investigated a possible violation of a restraining order. After investigation, there was insufficient evidence to support criminal charges.



TOWN OF ELIZABETH POLICE DEPARTMENT

JEFF ENGEL, CHIEF OF POLICE

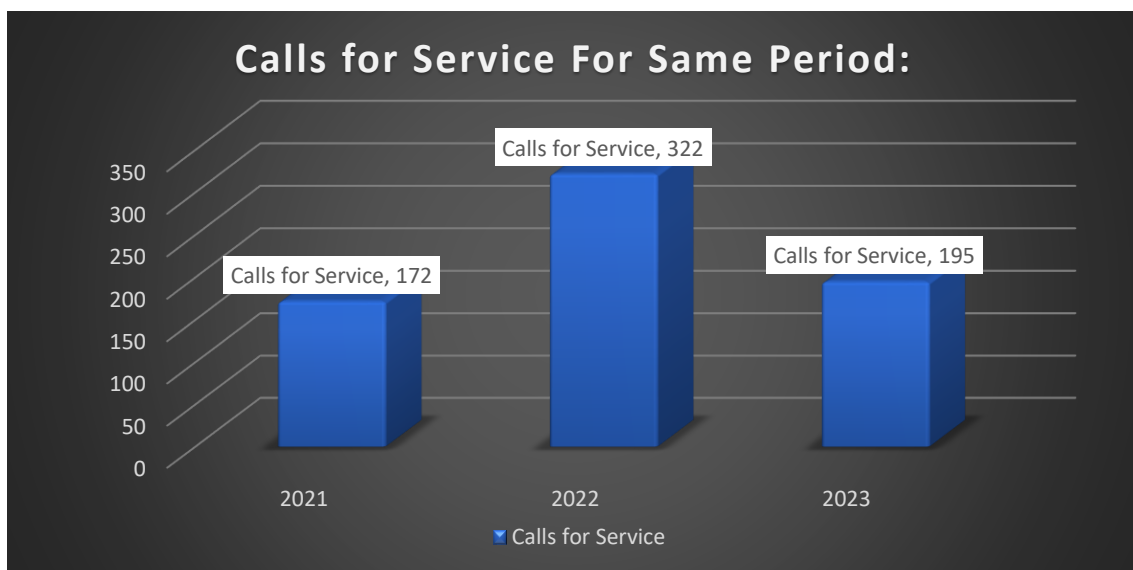
Elizabeth Police Department Activity Statistics Report

Reporting Period:

10/01/2023 to 10/14/2023

23-4855	Harassment	EPD responded to a local school on reported harassment. After investigation, probable cause existed that a crime had occurred. However, the victim did not wish to pursue criminal charges.
23-4493	Sex Assault on a Child	EPD concluded an investigation into a sex assault on a minor. After involving the Department of Human Services, and conducting a forensic interview, there was insufficient probable cause that a crime had occurred.
23-4860	Child Abuse	EPD concluded an investigation into child abuse. After involving the Department of Human Services, and conducting a forensic interview, there was insufficient probable cause that a crime had occurred.

Historical Data:





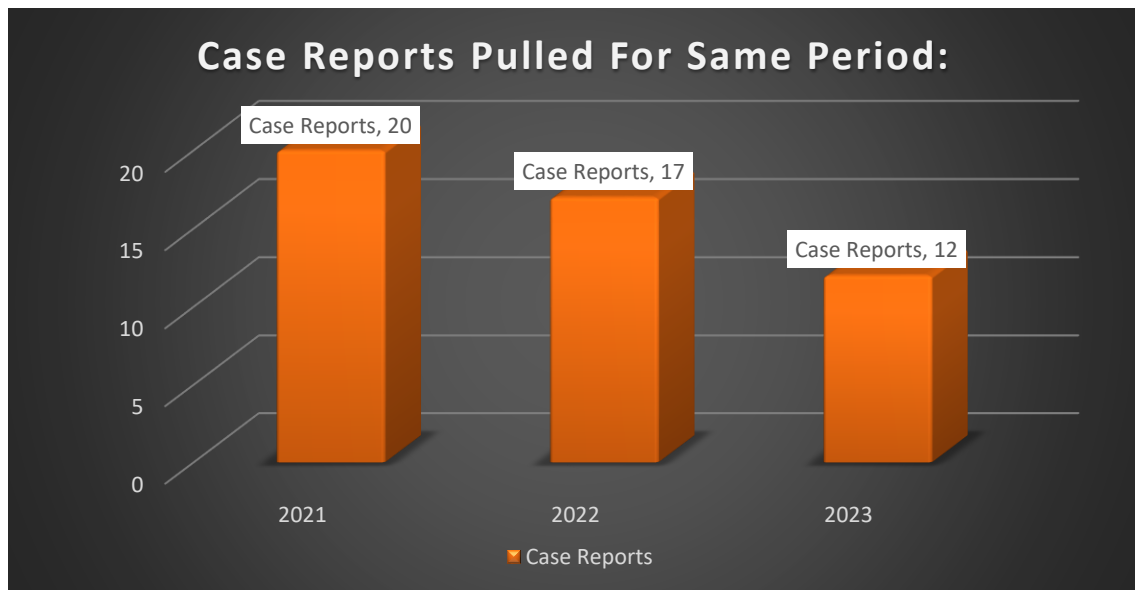
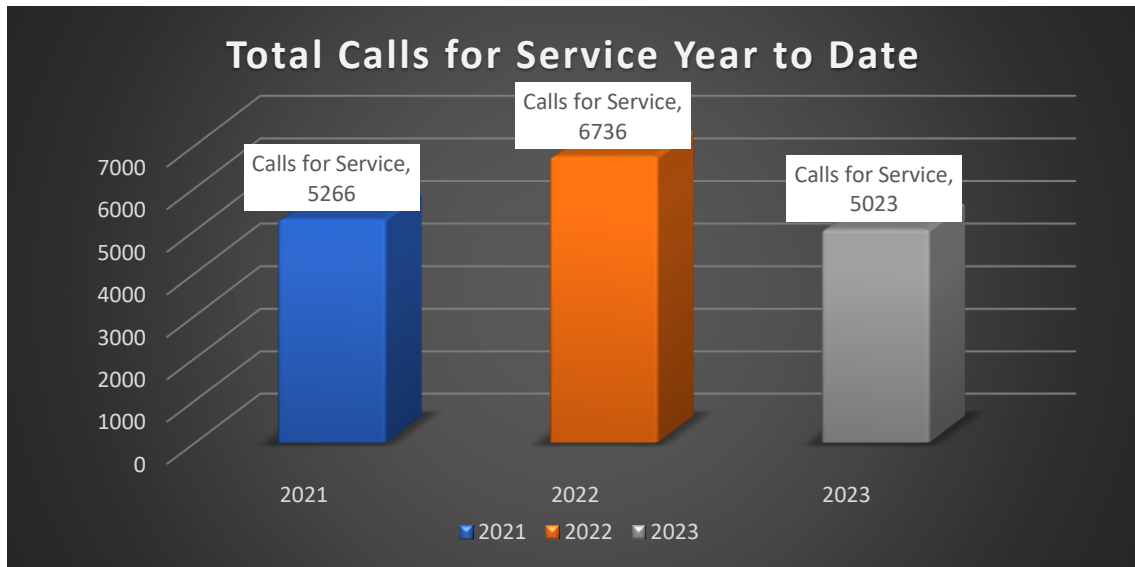
TOWN OF ELIZABETH POLICE DEPARTMENT

JEFF ENGEL, CHIEF OF POLICE

Elizabeth Police Department Activity Statistics Report

Reporting Period:

10/01/2023 to 10/14/2023





**MAIN STREET BOARD OF DIRECTORS – RECORD OF PROCEEDINGS
SEPTEMBER 11, 2023**

CALL TO ORDER

The Regular Meeting of the Main Street Board of Directors was called to order on Monday, September 11, 2023, at 8:32 AM by President Tedd Lipka.

ROLL CALL

Present were President Tedd Lipka, Vice President Linda Bulmer, and Board Members Jeff Struthers, Michael Hussey, Kurt Prinslow, Brandon Jeffress, and Carrie Wedel. There was a quorum to conduct business.

Also present were Community Development Director Zach Higgins, Planner/Project Manager Alexandra Cramer, Deputy Town Clerk Harmony Malakowski, and Community Development Administrative Assistant Dianna Hiatt.

AGENDA CHANGES

No changes from Staff.

No changes from the Board.

Agenda set.

UNSCHEDULED PUBLIC COMMENT

There was no unscheduled public comment.

CONSENT AGENDA

1. Minutes of the Regular Meeting of August 14, 2023

Motion by Mr. Hussey, seconded by Vice President Bulmer, to approve the minutes from August 14, 2023.

The vote of those Board Members present was unanimously in favor. Motion carried.



NEW BUSINESS

2. Discussion regarding Colorado Small Business Development Center Network
Craig Curl gave a presentation to the Board to discuss the services available in the area for small businesses.

3. Discussion regarding Town of Elizabeth 5K Run/Walk and Family Color Run
Mr. Higgins provided an update regarding the 5K Run/Walk.

4. Discussion regarding SBDC and DOLA Main Street Community Meeting
Mr. Higgins provided information regarding this joint meeting to be held on November 13, 2023, from 6:00 PM to 7:30 PM. The Board provided feedback on what they would like to see discussed at this meeting.

STAFF REPORTS

- Mr. Higgins provided an update regarding streetlights on Main Street.
- Staff is working with DOLA on applying for a Revitalizing Main Street Grant.
- Further discussion followed regarding funding of the Main Street Streetscape.
- Mr. Higgins provided an update on this year's ornament.
- Mr. Higgins requested that the Board let him know of any training courses the members may be interested in attending.
- Wi-Fi on Main Street is moving forward. Maverick will be meeting with the Board of Trustees in October.
- Further discussion regarding Wi-Fi and cellular service in Town.
- Updates and discussion regarding Frontier High School.
- Update regarding the Historic Advisory Board and the Historic District Creation.
- Reminder regarding the joint workshop with the Board of Trustees this Thursday, September 14, 2023, from 6:00 PM to 8:30 PM.

BOARD REPORTS

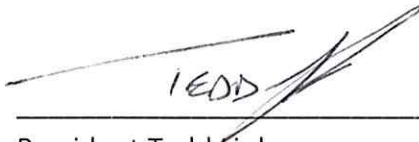
- Mr. Jeffress shared pictures of the Town of Frisco advertisement of their summer events. He would like to see something similar in Elizabeth.
- Discussion regarding Friday Night Markets.
- Further discussion of advertisement of summer events.
- Vice President Bulmer provided an update regarding Main Street Station.



TOWN OF ELIZABETH

ADJOURNMENT

Motion by Mr. Hussey, seconded by Mr. Jeffress, to adjourn the meeting at 10:42 AM.
The vote of those Board Members present was unanimously in favor. Motion carried.



President Tedd Lipka



Deputy Town Clerk Harmony Malakowski

