



**TOWN OF WIGGINS
BOARD of TRUSTEE MEETING
AGENDA**

September 28, 2022 at 7:00 P.M.

**304 CENTRAL AVENUE
WIGGINS, CO 80654**

***THE PUBLIC IS INVITED & ENCOURAGED TO ATTEND THE MEETING VIA ZOOM
OR WATCH ON YOUTUBE IF THEY ARE UNABLE TO ATTEND MEETING IN PERSON***

GO TO <https://us06web.zoom.us/j/89138082108> FOR THE MEETING LINK

MEETING AGENDA

I. INTRODUCTIONS

1. Call the Meeting to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda

II. CONSENT AGENDA

1. Approval of Board of Trustees Meeting Minutes August 24, 2022
2. Approval of Bills September 2022

III. REPORTS

1. Town Manager Report
2. Board of Trustees
3. Financials-Actual to Budget

IV. PUBLIC COMMENTS

The Board of Trustees welcomes you and thanks you for your time. If you wish to address the Board of Trustees about a specific concern or to comment on an item, this is the only time set on the agenda for you to do so. We ask that you be respectful and courteous when addressing the board. When you are recognized, please step to the microphone, state your name and address. Your comments will be limited to three (3) minutes. The Board will not respond to your comments this evening, rather they will take your comments and suggestions under advisement and provide direction to the appropriate member of Town Staff for follow-up.

V. PUBLIC HEARING: *(Public input will be taken during the public hearing).*

Public Hearing and Consideration of a Special Review Use for Brannnd RV Park/Boat Storage and RV Park (Campground)

1. Consideration of Resolution No. 31-2022 - A Resolution Approving a Special Review Use for Brannnd RV Park/Boat Storage and RV Park (Campground) Located in the Walton and Thomas Minor Subdivisions.

VI. PUBLIC HEARING: *(Public input will be taken during the public hearing).*

Public Hearing and Consideration of a Special Review Use for Our Lady of Lourdes Catholic Church

1. Consideration of Resolution No. 32-2022 - A Resolution Approving a Special Review Use for Our Lady of Lourdes Catholic Church for the Construction of a Parish Hall Located at 502 Main Street.

VII. PUBLIC HEARING: *(Public input will be taken during the public hearing).*

Public Hearing and Consideration of a Special Review Use for Wiggins Rural Fire District.

1. Resolution No. 33-2022 - A Resolution Approving a Special Review Use for the Wiggins Rural Fire District for the Use of a Conex Box Located at 701 Central Ave.

VII. PUBLIC HEARING: *(Public input will be taken during the public hearing).*

Public Hearing and Consideration of a Special Review Use for Summit Baptist Church

1. Consideration of Resolution No. 34-2022 - A Resolution Approving a Special Review Use for Summit Baptist Church to Establish an Early Childhood Development Center at 401 Second Avenue

VIII. ADJOURNMENT

1. Closing Remarks by Mayor and Trustees, and Meeting Adjournment



MINUTES OF MEETING

TOWN OF WIGGINS BOARD OF TRUSTEES MEETING

August 24, 2022 at 7:00 p.m.

CALL TO ORDER & ROLL CALL:

A regular meeting of the Town Board of Trustees for the Town of Wiggins, Colorado was held on Wednesday, August 24, 2022. Mayor Chris Franzen called the meeting to order at 7:03 p.m. The following Trustees answered roll call: Mayor Chris Franzen, Mayor Pro-Tem David Herbstman and Trustees: Jerry Schwindt, Bryan Flax, Bruce Miller and Mark Strickland. Trustee Mandy Camilleri was absent. Staff present were Tom Acre and Town Manager; Hope Becker, Planning and Zoning Administrator and Deb Lee, Town Clerk

AGENDA:

Motion was made by Trustee Mark Strickland to approve the agenda. Seconded by Mayor Pro-Tem David Herbstman.

Roll Call: The agenda was approved unanimously.

CONSENT AGENDA AND BILLS:

There was discussion about the bills. The Board's questions were answered.

Motion was made by Mayor Pro-Tem David Herbstman to approve the consent agenda. Seconded by Trustee Bryan Flax. Roll Call: The consent agenda and bills were approved unanimously.

TOWN MANAGER REPORT:

- Met with the Town of Bennett and Todd Creek about their Bent T project. They are receptive of taking on new users. The unique thing about it is that it is financed through private funds. The numbers were \$40,000 - \$50,000 to join and we will need to put pipeline in for 10 miles from their pipeline to Town. This is future water that is 30-50 years down the road. It might be a good redundant source or an additional source. It still has to get through water court. It is at the very eastern end of South Platte with a very junior water right. They want a large enough reservoir to last for 3-4 years in case of a drought. They have 9 reservoirs above and below ground that they will use to store the water.
- Met with Brent Nation with Fort Morgan. That potential is not closed, but would take a lot of negotiation. We would have to become a member of Northern Conservation District. We are not currently a member of that district. The cost could be as high as \$40,000 per foot. It might be a good alternative, but it doesn't solve our problem today.
- Spoke to Kent with Morgan County Quality Water to evaluate what our assets are. They also discussed the Lost Creek water. MCQW for Wiggins would most likely be a master meter project. We would need to pay the current water tap fee. We would maintain our water system.
- Roberts 81 has been talking to him and Hope about Tract 5.
- He's been working with the county to change the designation of Hwy 6 from Rural Highway to Urban Highway to allow their access permit engineer to give us more accesses from the highway. There is no impact on getting funding for rural highways by changing the designation.



- Today he went to the Economic Development meeting. They spent most of the time talking about the Foundation and funding for the foundation.
- He is on the Investor Relations Committee for MCDC. They met last week. They will have a quarterly luncheon in Town. Wiggins will be first luncheon and it will be in September. They want to find investors for MCDC. They are looking at getting someone from the State to come out and talk about Enterprise Zone tax credits. The meeting will be held at the bank.
- Gathering documents that are needed to button up the USDA grant. It puts the tank up and operational in 2025.
- We are still waiting on BNSF to give us permission to fix the sewer line pipe.

BOARD OF TRUSTEES REPORTS:

The Trustees did not have any reports, however they asked questions of the Town Manager.

- Did Manager Acre speak to REA about the power pole for Kiowa Park. We can put in a power pole, but not included with the current project.
- Main Street curb and gutter and sidewalk. Manager Acre has been discussing it with John Enochs. There is a state statute that requires them to pothole and locate the utilities. They are discussing to see if there is another more cost efficient way to do this project.
- Introduction of Virginia Martens our new Parks and Rec/Events Coordinator.
- There are two applications for Public Works maintenance position. Manager Acre is hoping that the Town will have a new employee after the first of September.
- Reminder that there is a Budget meeting on Saturday at 8:30 a.m.

FINANCIALS – ACTUAL TO BUDGET:

Questions were asked and answered. Discussion ensued about hiring our own inspector or hiring another Town's inspector instead of ProCode as ProCode is so expensive. The Board wants this explored in more depth.

Motion was made by Trustee Mark Strickland to approve the financials. Seconded by Trustee Bruce Miller.
Roll Call: The financials were approved unanimously.

PUBLIC COMMENTS:

The Public Comments portion of the meeting was opened at 7:47 p.m.

Daniel Mathewson lives on Suzanne Street and had questions about his water bill. He asked why the amount of water used isn't on the bill. He's heard sometimes water meters aren't read and the amounts are averaged when readings are done. Tom replied that the payment portal for Invoice Cloud is fixing the issue with the usage on the bills. Typically the water readings are read towards the start of the month. The Mayor said that we drive by instead of walking by to read the majority of the meters. Dan said the rate increase was supposed to go into effect on August 1st. It was pointed out that it was the bill in August not the 1st of August.

The Public Comment portion of the meeting was closed at 7:53 p.m.

CONSIDERATION OF RESOLUTION NO. 28-2022:

A Resolution of the Board of Trustees of the Town of Wiggins, Colorado Approving a Cash Management Services Agreement with High Plains Bank



Deb Lee, Town Clerk presented a summary of the topic and asked the Board if they will approve the Cash Management Services Agreement between the Town and High Plains Bank. This agreement will allow direct deposit for employees and to allow ACH payments while protecting the Town's bank accounts. The payments will still be approved by the Mayor or a Trustee and the Town Manager prior to payment being sent out the same as what is being done now.

Motion was made by Trustee Jerry Schwindt to approve Resolution No. 28-2022. Seconded by Mayor Pro-Tem David Herbstman. Roll Call: Resolution No. 28-2022 was unanimously approved.

CONSIDERATION OF RESOLUTION NO. 29-2022:

A Resolution of the Board of Trustees of the Town of Wiggins Colorado Appointing a Member to the Planning and Zoning Commission to Fill a Vacancy

Hope Becker, Planning and Zoning Administrator presented Dan Ronning, the new applicant and the Board interviewed him.

Motion was made by Trustee Mark Strickland to approve Resolution No. 29-2022. Seconded by Mayor Pro-Tem David Herbstman. Roll Call: Resolution No. 29-2022 was unanimously approved.

CONSIDERATION OF RESOLUTION NO. 30-2022:

A Resolution Approving an Intergovernmental Agreement Between the Town of Wiggins and the Morgan County Clerk and Recorder Regarding the Conduct of and Administration of the November 8, 2022 General Mail Ballot Election

Deb Lee, Town Clerk presented a summary of the topic and asked the Board to have a combined election between Morgan County and the Town of Wiggins. It is required to have the Tabor issue of a 1% increase in retail sales tax to be voted on through the county. We are going to also vote on having all elections combined with the county. We have more voter turnout and it costs the Town less in ballots, postage and staff time.

Motion was made by Trustee Mark Strickland to approve Resolution No. 30-2022. Seconded by Trustee Bryan Flax. Roll Call: Resolution 30-2022 was unanimously approved.

ADJOURNMENT:

Mayor Franzen adjourned the meeting at 8:19 p.m.

Respectfully submitted by:

Deborah Lee, Town Clerk

TOWN of WIGGINS - BILLS PAID
September 2022

Vendor Name	Description	Amount Paid
ADP SCREENING AND SELECTION	Background Check	\$193.49
ATLAS ENERGY SERVICES	Dumpster @ Sewer Plant	\$400.00
BAESSLER HOMES	Utility Refund	\$315.29
BANK OF THE WEST	Supplies	\$2,249.78
BANK OF THE WEST (Sync)	Syncing Fund Deposit	\$72,265.50
BECKER, HOPE	Baseball Gear	\$100.00
BLUE LIGHTNING	Internet/Phone	\$700.96
CASELLE, INC	Financial Software Support	\$906.00
CASH	Postage - Forwarding Addresses	\$4.20
CHS	Herbicide	\$317.80
CIRSA	Property & Liability Insurance	\$500.00
CITY OF BRUSH	CML District 1 Meeting	\$100.00
CITY OF EVANS, COLORADO	Training Meal	\$12.00
CITY OF FORT MORGAN	Glassey Farm Pump Electric	\$8.17
COLORADO ANALYTICAL LABORATORY	Water Analysis	\$1,585.90
CORE & MAIN	Water Meters	\$5,791.20
COUNTRY HARDWARE	PW Supplies	\$1,477.00
DALE FLEMING	Softball Umpire	\$240.00
EMIL, KIMBERLY A	Salary - Judge	\$312.50
FORT MORGAN RECREATION DEPARTMENT	Soccer Officiating	\$380.00
HARMAN, STEPHANIE	CIS/NIBRS	\$76.50
HAYES POZNANOVIC KORVER, LLC	Water Rights - Attorney's Fees	\$1,067.00
JARVIS	Monthly Subscription - Rec	\$175.00
JOENNE QUIMBY	Reimbursement - Supplies	\$26.50
JONES FREELANCING	RO Filter Media Removal & Replacement	\$2,100.00
KAMMERER, WILLIAM M.	Water Shares Lease/Purch Paymt	\$3,510.42
KC'S GRAPHICS	Youth Sports T-Shirts & Screen Printing	\$1,215.00
KELLY, PC	Town Attorney - Legal Fees	\$7,224.00
KYTE, DERRICK	Umpire	\$240.00
L.A.W.S.	Police Computer Mounts for Vehicles	\$2,844.01
LEAF	Copier Lease	\$159.00
Lee, Deborah	Mileage Reimbursement	\$220.78
LRE Water	Water Rights Engineering	\$3,570.25
LYONS GADDIS	Water Attorney Fees	\$177.00
MARQUEZ, AIDA	Translate Ballot Into Spanish	\$40.00
MILLER, CRAIG	Mailing Radon Test	\$4.70
MORGAN CNTY ECONOMIC DEV CORP	Investor Membership	\$2,670.00
MORGAN COUNTY QUALITY WATER	Road U Water	\$56.97
MORGAN COUNTY REA	Utilities - Electric	\$10,510.61
PITNEY BOWES-PURCHASE POWER	Postage	\$1,200.00
PRAIRIE MOUNTAIN MEDIA	Legal Notice Publication	\$149.04
PROCEDURE INC.	Residential Building Inspections	\$7,914.43
PROCEDURE INC.	Commercial Building Inspections	\$9,905.28
RH WATER & WASTEWATER, INC.	Water & WWTF Operator	\$800.00

TOWN of WIGGINS - BILLS PAID
September 2022

Vendor Name	Description	Amount Paid
RIVAL SERVICES, LLC	Portable Toilet - Kiowa Park Playground	\$150.00
SPWRAP	Assessment	\$518.16
STAGECOACH MEAT CO. LLC	Utility refund	\$6.98
STUB'S GAS & OIL, INC.	Fuel	\$1,430.16
TREATMENT TECHNOLOGY	Sodium Hypochlorite Solution 10% plus de	\$2,916.00
UNCC	Water & Sewer Locates	\$552.50
USA BLUEBOOK	Repair Supplies	\$367.47
VERIZON WIRELESS	Internet-Water Communication	\$32.04
VIAERO WIRELESS	Cell Phones	\$442.50
WALKER REPAIR SERVICES	Vehicle Repair - Police Department	\$90.00
WELDON VALLEY DITCH COMPANY	Kammerer August Accounting	\$99.50
WEX BANK	Fuel - PD	\$979.15
WIGGINS COMMUNITY BBQ	Donation	\$100.00
WIGGINS FARM AND AUTO SUPPLY	Vehicle Repairs	\$85.64
WIGGINS SUPER'S 1846	Supply	\$95.53
WOLF WASTE, LLC	Trash Removal	\$272.00
XCEL ENERGY	Utilities - Gas	\$167.34

Total \$152,021.25

Approved: _____



Date: 09/23/2022

INCIDENT ANALYSIS - DAY

Date 09/01/2022

Time 10:54:41

Report CFS03

Agency Wiggins Police Dept.

Dates 08/01/2022 Thru 08/31/2022

Activity	Sun	Mon	Tue	Wed	Thur	Fri	Sat	Total
<div> <div>Agency: WPD Wiggins Police Dept.</div> </div>								
00400 Assault	0	0	0	0	1	0	0	1
00600 Theft	0	0	0	0	1	0	0	1
01100 Fraud	0	1	1	0	0	0	0	2
02415 Domestic Violence	0	0	0	1	0	0	0	1
02670 Local Ordinance Violation	0	0	0	0	1	0	0	1
02671 Dog At Large	2	1	2	0	0	1	0	6
02672 Fireworks	0	0	0	0	0	0	2	2
02678 Watering Violation	0	1	3	0	0	0	0	4
03000 Community Policing	0	2	1	0	1	2	2	8
03010 Assist Other Agency	2	3	2	1	1	1	1	11
03020 Bar Check	0	0	0	1	0	0	0	1
03055 Remove A Party	0	0	0	0	0	0	1	1
03080 Medical Assist	0	3	0	1	1	1	0	6
03100 Welfare Check	0	0	3	1	0	1	1	6
03120 Extra Patrol	13	31	34	33	31	32	21	195
03121 Vacation House Check	0	0	1	0	1	0	0	2
03540 Traffic Accident	0	0	0	0	0	0	1	1
03590 Traffic Ctrl	0	0	1	2	1	2	0	6
03600 Driving Complaint	0	2	0	0	0	0	0	2
03610 Parking Complaint	0	0	0	0	1	0	0	1
03620 Traffic Hazard	0	0	1	1	0	0	0	2
03640 Animal Control	0	0	0	0	0	1	0	1
03644 Vicious Dog	0	1	0	0	0	0	0	1
03670 Animal Bite	1	0	0	0	0	0	0	1
03730 Lost/found	1	1	0	0	0	0	0	2
03760 Information	0	3	1	3	0	0	2	9
04000 Alarm	0	0	1	0	1	0	1	3
07520 Motorist Assist	0	0	0	2	1	0	3	6
07530 Traffic Contact	5	8	7	15	13	16	6	70
07531 Pedestrian Contact	0	0	0	0	0	1	1	2
07570 Unlock Vehicle	0	1	0	0	0	0	0	1
07580 Vehicle Inspection	0	3	3	0	0	0	0	6
07700 Juv Problem	0	0	0	0	0	1	0	1
09000 Fire Investigation LE	0	0	0	1	0	0	0	1
09001 911-Welfare Check	0	0	0	1	0	1	2	4
09006 Registered Sex Offender	0	0	0	0	1	0	0	1
09007 Animal Welfare Check	1	0	0	0	0	0	0	1
09600 Haz/Mat	0	0	0	0	0	1	0	1
09900 Follow Up/Investigation	1	2	4	3	3	2	0	15
35DU Traffic Contact-DUI Inv	0	0	0	0	4	0	4	8
35HR Traffic Accident-H & R	1	0	0	0	0	0	0	1
35SB Traffic Contact-Seatbelt	0	0	0	0	0	7	0	7
REPO Repossession	0	0	0	0	0	1	0	1
SEO Select Enforce Off Init	2	1	8	8	10	10	4	43
Wiggins Police Dept. Agency Total	29	64	73	74	73	81	52	446
Total	29	64	73	74	73	81	52	446

TOWN OF WIGGINS
COMBINED CASH INVESTMENT
AUGUST 31, 2022

COMBINED CASH ACCOUNTS

01-10210	HIGH PLAINS-MAIN CHECKING	4,982,905.96
01-10750	UTILITY CASH CLEARING ACCOUNT	55.12
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	TOTAL COMBINED CASH	4,982,961.08
01-10100	CASH ALLOCATED TO OTHER FUNDS	(4,853,157.41)
		<hr/>
TOTAL UNALLOCATED CASH		129,803.67
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CASH ALLOCATION RECONCILIATION

10	ALLOCATION TO GENERAL FUND	1,771,120.87
20	ALLOCATION TO WATER ENTERPRISE	1,131,293.47
30	ALLOCATION TO SEWER ENTERPRISE	1,208,235.06
40	ALLOCATION TO SALES TAX CAPITAL IMPROVEMENT	726,274.02
50	ALLOCATION TO CONSERVATION TRUST	16,233.99
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	TOTAL ALLOCATIONS TO OTHER FUNDS	4,853,157.41
	ALLOCATION FROM COMBINED CASH FUND - 01-10100	(4,853,157.41)
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ZERO PROOF IF ALLOCATIONS BALANCE		.00
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TOWN OF WIGGINS
BALANCE SHEET
AUGUST 31, 2022

GENERAL FUND

ASSETS

10-10100	CASH IN COMBINED CASH FUND	1,771,120.87	
10-10110	PETTY CASH (T. MANAGER)	44.30	
10-10120	PETTY CASH (T. CLERK)	805.39	
10-10240	CASH IN BANK COMM HALL FUND SA	18,817.65	
10-10250	COLOTRUST FUND	107.55	
10-10260	CASH IN USE TAX FUND	267,277.31	
10-10310	CASH W/ COUNTY TREASURER	3,505.36	
10-10500	PROPERTY TAXES RECEIVABLE	499,772.00	
10-11500	ACCOUNTS RECEIVABLE	55,352.50	
10-14100	PREPAID EXPENSES	1,079.39	
	TOTAL ASSETS		2,617,882.32

LIABILITIES AND EQUITY

LIABILITIES

10-20200	ACCOUNTS PAYABLE	32,576.16	
10-20210	PAYABLE TO SCHOOL DISTRICT	17,417.44	
10-22210	DEFERRED PROPERTY TAX	499,772.00	
10-22710	FED/ FICA TAXES PAYABLE	10,733.25	
10-22720	STATE W/H TAXES PAYABLE	13,490.40	
10-22740	POLICE PENSION PAYABLE	4,832.61	
10-22760	DEFERRED COMP CONTRIB PAYABLE	621.44	
10-22770	UNEMPLOYMENT PAYABLE	(1,436.46)	
10-22790	GARNISHMENT PAYABLE	(647.50)	
10-22820	HEALTH INSURANCE PAYABLE	(3,380.99)	
10-22830	LIFE INSURANCE PAYABLE	28.00	
10-22840	VISION INSURANCE PAYABLE	63.27	
10-25320	FUND BALANCE	1,324,817.00	
	TOTAL LIABILITIES		1,898,886.62

FUND EQUITY

UNAPPROPRIATED FUND BALANCE:			
REVENUE OVER EXPENDITURES - YTD	718,995.70		
BALANCE - CURRENT DATE		718,995.70	
TOTAL FUND EQUITY			718,995.70
TOTAL LIABILITIES AND EQUITY			2,617,882.32

TOWN OF WIGGINS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUES</u>					
10-30004 GENERAL MISCELLANEOUS	.00	1,371.98	.00	(1,371.98)	.0
10-31100 CURRENT PROPERTY TAX	14,273.31	489,500.33	499,772.00	10,271.67	97.9
10-31200 SPECIFIC OWNERSHIP	3,286.25	25,466.22	25,000.00	(466.22)	101.9
10-31300 1% TOWN SALES TAX	27,901.58	175,523.24	200,000.00	24,476.76	87.8
10-31301 USE TAX	12,690.81	176,159.31	120,000.00	(56,159.31)	146.8
10-31420 CIGARETTE TAX	.00	882.74	1,800.00	917.26	49.0
10-31810 SEVERENCE TAX	53,074.06	53,074.06	6,500.00	(46,574.06)	816.5
10-31820 FRANCHISE FEE-MORGAN CTY REA	.00	6,978.00	8,000.00	1,022.00	87.2
10-31821 FRANCHISE FEE-XCEL ENERGY	1,195.73	11,267.30	8,000.00	(3,267.30)	140.8
10-31823 FRANCHISE FEE--BLUE LIGHTNING	.00	2,755.12	2,750.00	(5.12)	100.2
10-31900 PENALTIES & INTEREST	400.12	468.78	.00	(468.78)	.0
10-32110 LIQUOR LICENSE (15%)	.00	85.00	175.00	90.00	48.6
10-32210 BUILDING PERMITS	8,767.09	127,720.77	50,000.00	(77,720.77)	255.4
10-33410 GRANTS (DOLA CARES ACT)	.00	100.00	.00	(100.00)	.0
10-33412 DOLA EIAF 2021	.00	.00	82,500.00	82,500.00	.0
10-33415 FEDERAL GRANT--ARP	.00	146,159.89	146,160.00	.11	100.0
10-33430 MISCELLANEOUS FEES	.00	395.38	.00	(395.38)	.0
10-33530 HIGHWAY USERS TAX	8,879.39	32,605.89	38,000.00	5,394.11	85.8
10-33550 ADDITIONAL MOTOR VEHICLE	1,033.12	6,106.66	6,000.00	(106.66)	101.8
10-33800 ROAD & BRIDGE	1,674.06	55,899.56	38,000.00	(17,899.56)	147.1
10-34210 SPECIAL POLICE SERVICES	.00	43.47	.00	(43.47)	.0
10-34215 VIN INSPECTIONS	120.00	660.00	250.00	(410.00)	264.0
10-34220 BUILDING DEVELOPMENT REVIEW	750.00	15,054.68	5,000.00	(10,054.68)	301.1
10-34221 BUILDING INSPECTION PLAN REV	4,474.34	40,715.08	1,000.00	(39,715.08)	4071.5
10-34281 ADULT ACTIVITIES FEE	.00	1,750.00	.00	(1,750.00)	.0
10-34282 PARKS & REC FEES	.00	(25.00)	.00	25.00	.0
10-34283 SOFTBALL REG FEES	.00	350.00	2,000.00	1,650.00	17.5
10-34284 BASEBALL REG FEES	45.00	8,635.00	11,000.00	2,365.00	78.5
10-34286 VOLLEYBALL REG FEES	555.00	555.00	1,000.00	445.00	55.5
10-34287 SOCCER REG FEES	3,130.00	6,320.00	1,500.00	(4,820.00)	421.3
10-34289 MISCELLANEOUS ACTIVITY FEES	.00	.00	2,000.00	2,000.00	.0
10-35110 COURT FINES-MUNICIPAL	1,387.00	26,267.00	30,000.00	3,733.00	87.6
10-36010 DOG LICENSES/CLINIC	10.00	305.00	300.00	(5.00)	101.7
10-36011 BUSINESS LICENSES	.00	3,880.90	3,500.00	(380.90)	110.9
10-36012 CONTRACTOR LICENSES	100.00	1,125.00	1,800.00	675.00	62.5
10-36013 GOLF CART LICENSES	40.00	680.00	150.00	(530.00)	453.3
10-36030 SPECIAL EVENT FEES	.00	420.00	.00	(420.00)	.0
10-36040 INSURANCE PROCEEDS	5,597.65	5,597.65	.00	(5,597.65)	.0
10-36100 INTEREST ON SAVINGS	.27	9.79	10.00	.21	97.9
10-36310 BUILDING & FARM RENT	1,050.00	2,665.00	6,000.00	3,335.00	44.4
10-36420 REFUNDS	.00	3,445.68	.00	(3,445.68)	.0
10-36500 CONTRIBUTIONS/DONATIONS	115.00	(685.00)	.00	685.00	.0
10-36501 SPONSORSHIPS	.00	1,490.00	.00	(1,490.00)	.0
10-36510 OTHER GRANTS	28,995.00	28,995.00	.00	(28,995.00)	.0
10-36511 GRANTS--LEAF	800.00	2,900.00	.00	(2,900.00)	.0
10-36512 GRANTS--DUI	.00	4,750.00	.00	(4,750.00)	.0
10-36513 GRANTS--TRAINING	.00	1,575.87	.00	(1,575.87)	.0
10-36515 GRANT--C.I.O.T.	.00	987.76	.00	(987.76)	.0
10-39160 TRANSFER FROM SALES TAX FUND	.00	.00	50,000.00	50,000.00	.0
10-39210 SALE OF FIXED ASSETS	.00	23,899.00	.00	(23,899.00)	.0

TOWN OF WIGGINS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
TOTAL FUND REVENUE	180,344.78	1,494,887.11	1,348,167.00	(146,720.11)	110.9

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>GENERAL GOVERNMENTAL</u>					
10-410-13 FINANCIAL AUDIT	.00	5,000.00	9,000.00	4,000.00	55.6
10-410-32 PROFESSIONAL SERVICES	495.55	15,348.99	15,000.00	(348.99)	102.3
10-410-34 CODIFICATION	.00	.00	12,000.00	12,000.00	.0
10-410-35 COPIER LEASE	39.75	461.86	477.00	15.14	96.8
10-410-40 EMPLOYEE TRAINING	.00	1,290.86	5,000.00	3,709.14	25.8
10-410-41 TELEPHONE & INTERNET	126.61	891.93	800.00	(91.93)	111.5
10-410-42 UTILITIES--ELECTRIC	83.51	641.16	3,000.00	2,358.84	21.4
10-410-43 OFFICE BLDG REPAIRS & MAINT	.00	1,891.03	2,000.00	108.97	94.6
10-410-44 POSTAGE METER LEASE	.00	.00	525.00	525.00	.0
10-410-45 UTILITES-GAS	41.84	901.76	1,200.00	298.24	75.2
10-410-46 CELL PHONE	109.86	818.80	980.00	161.20	83.6
10-410-48 TRASH	.00	.00	270.00	270.00	.0
10-410-52 INSURANCE & BONDS	.00	29,383.14	25,000.00	(4,383.14)	117.5
10-410-54 ADVERTISING	12.88	512.88	250.00	(262.88)	205.2
10-410-55 POSTAGE & SHIPPING	170.74	380.64	1,500.00	1,119.36	25.4
10-410-58 TRAVEL & MEETINGS	109.94	2,293.75	3,500.00	1,206.25	65.5
10-410-61 OPERATING SUPPLIES	741.06	3,129.40	10,000.00	6,870.60	31.3
10-410-68 COPIER EXPENSE	.00	691.57	600.00	(91.57)	115.3
10-410-70 IT SUPPORT	225.00	281.96	15,000.00	14,718.04	1.9
10-410-71 COMPUTER SOFTWARE	(99.00)	2,094.43	3,000.00	905.57	69.8
10-410-90 DUES & SUBSCRIPTIONS	.00	344.00	2,500.00	2,156.00	13.8
10-410-91 NEWSLETTERS & PUBLICATIONS	.00	738.25	.00	(738.25)	.0
TOTAL GENERAL GOVERNMENTAL	2,057.74	67,096.41	111,602.00	44,505.59	60.1
<u>ADMINISTRATION DEPARTMENT</u>					
10-411-15 ADMINISTRATION DEPT EMPLOYEES	7,083.74	56,669.92	86,649.00	29,979.08	65.4
10-411-20 EMPLOYEE BENEFITS	789.87	6,318.96	13,847.00	7,528.04	45.6
10-411-22 FICA & MEDICARE	536.40	4,291.20	6,629.00	2,337.80	64.7
10-411-23 457 RETIREMENT	283.76	2,270.08	6,190.00	3,919.92	36.7
10-411-25 UNEMPLOYMENT INS	.00	89.95	254.00	164.05	35.4
10-411-26 WORKERS' COMPENSATION	.00	(3,330.54)	150.00	3,480.54	(2220.
10-411-27 EMPLOYEE APPRECIATION	.00	66.91	1,000.00	933.09	6.7
10-411-28 TA VEHICLE STIPEND	.00	.00	1,000.00	1,000.00	.0
TOTAL ADMINISTRATION DEPARTMENT	8,693.77	66,376.48	115,719.00	49,342.52	57.4

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>JUDICIAL DEPARTMENT</u>					
10-412-00 CONTRACT-JUDGE	.00	2,500.00	3,600.00	1,100.00	69.4
10-412-01 CONTRACT-TOWN PROSECUTOR	.00	2,100.00	3,000.00	900.00	70.0
10-412-35 COPIER LEASE	23.85	277.12	125.00	(152.12)	221.7
10-412-41 TELEPHONE & INTERNET	.00	.00	100.00	100.00	.0
10-412-55 POSTAGE	29.67	108.65	50.00	(58.65)	217.3
10-412-61 OFFICE SUPPLIES	.00	33.14	150.00	116.86	22.1
10-412-68 COPIER EXPENSE	.00	.00	200.00	200.00	.0
10-412-70 IT SUPPORT	.00	.00	100.00	100.00	.0
10-412-71 COMPUTER SOFTWARE	.00	.00	200.00	200.00	.0
TOTAL JUDICIAL DEPARTMENT	53.52	5,018.91	7,525.00	2,506.09	66.7
<u>MAYOR & LEGISLATIVE BOARDS</u>					
10-413-10 MAYOR COMPENSATION	200.00	1,600.00	2,400.00	800.00	66.7
10-413-11 BOARD OF TRUSTEES COMPENSATION	240.00	1,920.00	2,880.00	960.00	66.7
10-413-12 BOARD OF TRUSTEES APPRECIATION	.00	.00	500.00	500.00	.0
10-413-22 FICA & MEDICARE	33.66	269.28	404.00	134.72	66.7
10-413-26 WORKER'S COMPENSATION	.00	49.46	140.00	90.54	35.3
10-413-40 BOARD OF TRUSTEES TRAINING	.00	.00	3,000.00	3,000.00	.0
10-413-51 E & O INSURANCE	.00	3,084.63	2,000.00	(1,084.63)	154.2
10-413-58 BOARD TRAVEL & MEETINGS	.00	310.00	5,000.00	4,690.00	6.2
10-413-71 COMPUTER SOFTWARE	.00	168.14	.00	(168.14)	.0
10-413-90 DUES & SUBSCRIPTIONS	.00	.00	2,500.00	2,500.00	.0
TOTAL MAYOR & LEGISLATIVE BOARDS	473.66	7,401.51	18,824.00	11,422.49	39.3
<u>ELECTIONS</u>					
10-414-00 ELECTIONS	25.00	2,733.81	3,000.00	266.19	91.1
TOTAL ELECTIONS	25.00	2,733.81	3,000.00	266.19	91.1
<u>TREASURER'S OFFICE</u>					
10-415-15 COLLECTIONS (TREASURERS FEE)	293.47	9,785.32	8,000.00	(1,785.32)	122.3
10-415-30 TOWN LEGAL	1,581.00	45,226.00	35,000.00	(10,226.00)	129.2
10-415-40 REPORTING & PUBLISHING	.00	87.40	1,200.00	1,112.60	7.3
TOTAL TREASURER'S OFFICE	1,874.47	55,098.72	44,200.00	(10,898.72)	124.7

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ECONOMIC DEVELOPMENT</u>						
10-416-50	ECONOMIC DEVELOPMENT	.00	.00	20,000.00	20,000.00	.0
10-416-51	MEMBERSHIP FEE/DUES	.00	2,670.00	4,500.00	1,830.00	59.3
	TOTAL ECONOMIC DEVELOPMENT	.00	2,670.00	24,500.00	21,830.00	10.9
<u>COMMUNITY DEVELOPMENT</u>						
10-417-30	COMMUNITY MEETING	.00	.00	1,000.00	1,000.00	.0
10-417-35	COPIER LEASE	.00	.00	95.00	95.00	.0
10-417-44	POSTAGE	.00	.00	105.00	105.00	.0
10-417-55	POSTAGE MACHINE LEASE	.00	.00	500.00	500.00	.0
10-417-61	OFFICE SUPPLIES	.00	.00	120.00	120.00	.0
10-417-63	ABATEMENT	.00	.00	500.00	500.00	.0
10-417-68	COPIER EXPENSE	.00	.00	120.00	120.00	.0
10-417-70	IT SUPPORT	.00	.00	200.00	200.00	.0
10-417-71	COMPUTER SOFTWARE	.00	168.14	100.00	(68.14)	168.1
10-417-85	CODE ENFORCEMENT	.00	.00	500.00	500.00	.0
10-417-91	NEWSLETTER	.00	.00	2,100.00	2,100.00	.0
	TOTAL COMMUNITY DEVELOPMENT	.00	168.14	5,340.00	5,171.86	3.2
<u>PLANNING & ZONING</u>						
10-418-30	LEGAL/ENGINEERING SUPPORT	2,128.50	3,371.00	3,500.00	129.00	96.3
10-418-35	COPIER LEASE	.00	.00	95.00	95.00	.0
10-418-40	STAFF TRAINING	.00	.00	1,000.00	1,000.00	.0
10-418-41	TELEPHONE & INTERNET	.00	.00	425.00	425.00	.0
10-418-44	POSTAGE	39.86	51.86	105.00	53.14	49.4
10-418-49	COMMISSION TRAINING	.00	.00	500.00	500.00	.0
10-418-51	MEMBERSHIPS/PUBLICATIONS	14.06	14.06	200.00	185.94	7.0
10-418-54	NOTICES/PUBLICATION	227.55	410.51	1,000.00	589.49	41.1
10-418-55	POSTAGE	.00	17.94	420.00	402.06	4.3
10-418-61	OFFICE SUPPLIES	122.15	232.54	50.00	(182.54)	465.1
10-418-68	COPIER EXPENSE	.00	.00	100.00	100.00	.0
10-418-70	IT SUPPORT	.00	.00	100.00	100.00	.0
10-418-71	COMPUTER SOFTWARE	.00	278.14	100.00	(178.14)	278.1
10-418-93	COMPREHENSIVE PLAN	.00	.00	82,500.00	82,500.00	.0
10-418-94	ZONING MAP	.00	.00	5,000.00	5,000.00	.0
10-418-97	LAND DEVELOPMENT CODE	.00	.00	37,500.00	37,500.00	.0
10-418-98	IMPACT FEE STUDY	.00	.00	30,000.00	30,000.00	.0
	TOTAL PLANNING & ZONING	2,532.12	4,376.05	162,595.00	158,218.95	2.7

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET		UNEXPENDED	PCNT
<u>COMMUNITY PROGRAMS</u>						
10-419-00 FOURTH OF JULY FESTIVAL	.00	20,071.85	20,000.00	(	71.85)	100.4
10-419-01 WIGGINS OLD TIME CHRISTMAS	.00	6,036.32	4,000.00	(	2,036.32)	150.9
10-419-02 FALL HARVEST FEST	.00	.00	4,000.00		4,000.00	.0
10-419-05 BUSINESS DIST BEAUTIFICATION	.00	460.07	2,000.00		1,539.93	23.0
10-419-10 EVENTS COORINATOR	.00	.00	25,000.00		25,000.00	.0
10-419-20 DONATIONS	1,090.00	2,090.00	10,000.00		7,910.00	20.9
10-419-50 ECONOMIC DEVELOPMENT	.00	296.80	.00	(	296.80)	.0
10-419-58 COMMUNITY MEETING	.00	.00	2,000.00		2,000.00	.0
10-419-61 OFFICE EQUIPMENT LEASES	.00	13.77	.00	(	13.77)	.0
10-419-62 MAIN STREET PROGRAMS	.00	.00	20,000.00		20,000.00	.0
10-419-65 TREES/TREE PLANTING	.00	1,692.78	2,000.00		307.22	84.6
10-419-66 PLANTERS	.00	.00	1,500.00		1,500.00	.0
10-419-91 NEWSLETTER/EVENT POSTCARD	.00	320.40	1,200.00		879.60	26.7
10-419-99 OTHER MISCELLANEOUS	.00	410.60	.00	(	410.60)	.0
 TOTAL COMMUNITY PROGRAMS	 1,090.00	 31,392.59	 91,700.00		 60,307.41	 34.2

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>POLICE DEPARTMENT</u>					
10-421-00 CAPITAL OUTLAY	.00	105.27	.00	(105.27)	.0
10-421-02 CONTRACT SERVICES	76.50	1,089.50	3,600.00	2,510.50	30.3
10-421-04 EQUIPMENT	.00	31,066.37	45,250.00	14,183.63	68.7
10-421-15 POLICE SALARIES	14,808.11	106,461.87	179,727.00	73,265.13	59.2
10-421-20 EMPLOYEE BENEFITS	1,723.40	12,304.80	28,649.00	16,344.20	43.0
10-421-21 VEHICLE/MOBILE EQUIPMENT	8,221.50	8,261.45	6,000.00	(2,261.45)	137.7
10-421-22 FICA & MEDICARE	225.36	1,616.90	13,749.00	12,132.10	11.8
10-421-23 PENSION-FPPA	1,377.12	10,228.38	16,175.00	5,946.62	63.2
10-421-24 DEATH & DISABILITY-FPPA	140.72	873.69	2,876.00	2,002.31	30.4
10-421-25 UNEMPLOYMENT INSURANCE	.00	83.58	539.00	455.42	15.5
10-421-26 WORKERS' COMPENSATION	.00	3,840.46	7,510.00	3,669.54	51.1
10-421-28 FARM HOUSE UTILITIES-GAS & ELC	230.08	2,227.68	.00	(2,227.68)	.0
10-421-29 UNIFORMS	17.95	1,523.47	3,000.00	1,476.53	50.8
10-421-30 PROFESSIONAL LEGAL SERVICES	900.00	900.00	1,000.00	100.00	90.0
10-421-35 COPIER LEASE	7.95	92.38	95.00	2.62	97.2
10-421-40 TRAINING	400.00	2,754.66	3,000.00	245.34	91.8
10-421-41 TELEPHONE & INTERNET	.00	255.44	2,735.00	2,479.56	9.3
10-421-42 COM CENTER PHONE LINE	.00	326.61	1,821.00	1,494.39	17.9
10-421-43 REPAIRS AND MAINTENANCE (AUTO)	11.00	526.06	5,525.00	4,998.94	9.5
10-421-44 UTILITIES-ELECTRIC	83.51	641.17	750.00	108.83	85.5
10-421-45 UTILITIES-GAS	.00	461.78	400.00	(61.78)	115.5
10-421-46 CELL PHONE	240.58	1,382.42	350.00	(1,032.42)	395.0
10-421-48 TRASH	.00	.00	270.00	270.00	.0
10-421-49 OTHER MISCELLANEOUS	36.15	1,075.98	1,000.00	(75.98)	107.6
10-421-52 INSURANCE & BONDS	.00	10,263.33	25,000.00	14,736.67	41.1
10-421-55 PRINTING	.00	745.00	800.00	55.00	93.1
10-421-61 OFFICE/GEN OPERATING SUPPLIES	8.06	583.62	1,000.00	416.38	58.4
10-421-62 FUEL	979.15	6,130.29	8,500.00	2,369.71	72.1
10-421-64 CRIME PREVENTION	.00	12.50	500.00	487.50	2.5
10-421-68 COPIER EXPENSE	.00	.00	100.00	100.00	.0
10-421-70 IT SUPPORT	.00	8.95	2,500.00	2,491.05	.4
10-421-71 COMPUTER SOFTWARE	180.00	360.15	9,760.00	9,399.85	3.7
10-421-72 AMUNITION	.00	568.43	1,700.00	1,131.57	33.4
10-421-73 LEXIPOLE	.00	.00	2,239.00	2,239.00	.0
10-421-85 ANIMAL CONTROL	.00	386.29	100.00	(286.29)	386.3
10-421-90 MEMBERSHIP DUES	.00	110.00	253.00	143.00	43.5
TOTAL POLICE DEPARTMENT	29,667.14	207,268.48	376,473.00	169,204.52	55.1
<u>BUILDING INSPECTION DEPARTMENT</u>					
10-424-20 BUILDING INSPECTIONS MATERIALS	.00	128.44	1,000.00	871.56	12.8
10-424-30 DEVELOPMENT REVIEW MISC EXP	.00	865.00	5,000.00	4,135.00	17.3
10-424-31 COMMERCIAL BUILDING REVIEW	9,905.28	21,358.62	5,000.00	(16,358.62)	427.2
10-424-32 RESIDENTIAL BUILDING REVIEW	7,914.43	89,065.10	5,000.00	(84,065.10)	1781.3
10-424-40 EMPLOYEE TRAINING	.00	.00	2,000.00	2,000.00	.0
TOTAL BUILDING INSPECTION DEPARTMEN	17,819.71	111,417.16	18,000.00	(93,417.16)	619.0

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC WORKS ADMINISTRATION</u>					
10-430-11 SALARY - PW MAINTENANCE(1)	6,168.91	55,659.14	30,779.00	(24,880.14)	180.8
10-430-12 SALARY-PW MAINTENANCE(2)	.00	487.00	.00	(487.00)	.0
10-430-15 SALARY-PW SEASONAL (MOWING)	.00	1,123.20	6,000.00	4,876.80	18.7
10-430-16 PW EMPLOYEES-FULL TIME	.00	.00	32,718.00	32,718.00	.0
10-430-20 EMPLOYEE BENEFITS - PW	361.40	2,891.20	13,857.00	10,965.80	20.9
10-430-22 FICA & MEDICARE	445.07	4,166.32	4,493.00	326.68	92.7
10-430-23 457 RETIREMENT	63.74	509.92	1,603.00	1,093.08	31.8
10-430-25 UNEMPLOYMENT INSURANCE - PW	3.30	103.07	181.00	77.93	56.9
10-430-26 WORKERS' COMPENSATION - PW	.00	2,065.46	8,250.00	6,184.54	25.0
TOTAL PUBLIC WORKS ADMINISTRATION	7,042.42	67,005.31	97,881.00	30,875.69	68.5
<u>PUBLIC WORKS & STREETS DEPT</u>					
10-431-00 UNIFORMS - PW	.00	674.10	3,500.00	2,825.90	19.3
10-431-20 REPAIRS-EQUIPMENT & VEHICLES	343.10	11,774.50	9,500.00	(2,274.50)	123.9
10-431-21 STREETS-SIGNS & MATERIAL	.00	1,075.61	10,000.00	8,924.39	10.8
10-431-22 REPAIRS & MAINTENANCE-STREETS	.00	14,581.80	.00	(14,581.80)	.0
10-431-23 EQUIPMENT RENTAL	.00	.00	200.00	200.00	.0
10-431-24 REPAIRS & MAINTENANCE-STREETS	.00	1,170.81	10,000.00	8,829.19	11.7
10-431-25 FARM HOUSE MAINT	30.69	3,116.71	1,000.00	(2,116.71)	311.7
10-431-28 FARM HOUSE UTILITIES	.00	.00	2,700.00	2,700.00	.0
10-431-35 COPIER LEASE	7.95	92.38	95.00	2.62	97.2
10-431-39 GIS	.00	.00	250.00	250.00	.0
10-431-40 EMPLOYEE TRAINING	.00	.00	2,500.00	2,500.00	.0
10-431-41 UTILITIES - ELECTRIC	83.51	2,706.34	1,500.00	(1,206.34)	180.4
10-431-43 BUIDING MAINT	3,252.28	8,390.02	3,000.00	(5,390.02)	279.7
10-431-45 UTILITIES-GAS	41.84	901.76	1,200.00	298.24	75.2
10-431-46 CELL PHONE	73.92	555.68	975.00	419.32	57.0
10-431-47 TELEPHONE & INTERNET	126.61	808.18	800.00	(8.18)	101.0
10-431-48 TRASH	.00	.00	540.00	540.00	.0
10-431-52 INSURANCE - PW	.00	7,466.34	9,611.00	2,144.66	77.7
10-431-55 POSTAGE & SHIPPING-PW	8.03	32.50	.00	(32.50)	.0
10-431-60 STREET LIGHTING - PW	.00	7,117.37	9,600.00	2,482.63	74.1
10-431-61 OFFICE SUPPLIES	.00	.00	1,400.00	1,400.00	.0
10-431-62 FUEL - PW	1,430.16	9,922.54	8,500.00	(1,422.54)	116.7
10-431-63 CONTRACT REFUSE REMOVAL - PW	272.00	2,107.00	2,000.00	(107.00)	105.4
10-431-64 LEVEE REPAIR & MAINT	.00	389.49	.00	(389.49)	.0
10-431-65 TREE PROGRAM	.00	.00	1,500.00	1,500.00	.0
10-431-66 PEST/WEED CONTROL - PW	470.50	317.80	1,600.00	1,282.20	19.9
10-431-68 COPIER EXPENSE	.00	.00	78.00	78.00	.0
10-431-70 IT SUPPORT	.00	.00	2,500.00	2,500.00	.0
10-431-71 COMPUTER SOFTWARE	.00	180.15	424.00	243.85	42.5
10-431-74 EQUIPMENT- CAPITAL OUTLAY	.00	.00	2,250.00	2,250.00	.0
10-431-99 OTHER MISCELLANEOUS - PW	80.35	3,428.12	.00	(3,428.12)	.0
TOTAL PUBLIC WORKS & STREETS DEPT	6,220.94	76,809.20	87,223.00	10,413.80	88.1

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>STORMWATER</u>					
10-432-59 STORMWATER ENGINEERING/DESIGN	2,832.50	11,697.50	5,000.00	(6,697.50)	234.0
10-432-60 STORMWATER CONSTRUCTION	.00	.00	50,000.00	50,000.00	.0
10-432-61 RETENTION/DETENTION POND MAINT	.00	.00	5,000.00	5,000.00	.0
10-432-62 CULVERT/DITCH MAINT	.00	.00	1,000.00	1,000.00	.0
10-432-63 3RD AVE STORM LIFT STATION	.00	.00	1,000.00	1,000.00	.0
10-432-64 STREET SWEEPING	.00	.00	500.00	500.00	.0
10-432-65 LEVEE REPAIR & MAINT	.00	.00	2,000.00	2,000.00	.0
TOTAL STORMWATER	2,832.50	11,697.50	64,500.00	52,802.50	18.1
<u>PARK & RECREATION</u>					
10-451-10 CONTRACT LABOR	240.00	480.00	.00	(480.00)	.0
10-451-11 SALARIES - P&R DIRECTOR (SEAS)	569.88	569.88	17,991.00	17,421.12	3.2
10-451-12 SALARIES - SUMMER HELP (SEAS)	.00	1,780.36	16,141.00	14,360.64	11.0
10-451-16 SALARIES-PW FULL-TIME	.00	.00	5,006.00	5,006.00	.0
10-451-22 FICA P&R	43.59	179.81	641.00	461.19	28.1
10-451-23 RENTS	75.00	225.00	.00	(225.00)	.0
10-451-25 UNEMPLOYMENT INSURANCE	1.14	4.28	25.00	20.72	17.1
10-451-26 WORKERS' COMPENSATION	.00	1,035.95	1,500.00	464.05	69.1
10-451-30 SPECIAL EVENTS - P&R	.00	56.39	1,000.00	943.61	5.6
10-451-38 CELL PHONE	36.96	538.54	490.00	(48.54)	109.9
10-451-39 TELEPHONE & INTERNET	126.61	613.18	1,200.00	586.82	51.1
10-451-40 TRAINING	.00	.00	1,000.00	1,000.00	.0
10-451-41 UTILITIES - ELECTRIC	334.30	6,329.36	12,000.00	5,670.64	52.7
10-451-43 PARK REPAIR AND MAINTENANCE	107.95	14,972.22	15,000.00	27.78	99.8
10-451-44 CAPITAL OUTLAY - PARKS	3,081.00	11,018.50	15,000.00	3,981.50	73.5
10-451-48 TRASH	.00	.00	800.00	800.00	.0
10-451-55 NEWSLETTERS/POSTCARDS	.00	.00	1,200.00	1,200.00	.0
10-451-60 BACKGROUND CHECKS	.00	.00	735.00	735.00	.0
10-451-61 OPERATING SUPPLIES - P&R	.00	3,548.94	4,500.00	951.06	78.9
10-451-62 PARKS & RECREATION PROGRAMS	53.43	3,530.36	3,000.00	(530.36)	117.7
10-451-70 IT SUPPORT	.00	.00	100.00	100.00	.0
10-451-71 COMPUTER SOFTWARE	175.00	1,076.14	2,100.00	1,023.86	51.2
10-451-81 ADULT ACTIVITIES	1,200.00	2,004.75	.00	(2,004.75)	.0
10-451-83 SOFTBALL	128.69	138.69	2,000.00	1,861.31	6.9
10-451-84 BASEBALL	100.00	7,195.39	10,100.00	2,904.61	71.2
10-451-86 VOLLEYBALL	281.39	281.39	1,000.00	718.61	28.1
10-451-87 SOCCER	661.39	3,454.62	1,200.00	(2,254.62)	287.9
10-451-88 SUMMER ACTIVITY	.00	81.96	2,000.00	1,918.04	4.1
10-451-90 UNIFORMS & EQUIPMENT P&R	.00	.00	500.00	500.00	.0
10-451-91 MISC FEES	.00	3.98	.00	(3.98)	.0
10-451-92 PARK CONCESSION EXPENSE	.00	241.45	100.00	(141.45)	241.5
10-451-93 MEMBERSHIP/PUBLICATIONS	.00	.00	200.00	200.00	.0
TOTAL PARK & RECREATION	7,216.33	59,361.14	116,529.00	57,167.86	50.9

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
TOTAL FUND EXPENDITURES	87,599.32	775,891.41	1,345,611.00	569,719.59	57.7
NET REVENUE OVER EXPENDITURES	92,745.46	718,995.70	2,556.00	(716,439.70)	28129.

TOWN OF WIGGINS
BALANCE SHEET
AUGUST 31, 2022

WATER ENTERPRISE

ASSETS

20-10100	CASH IN COMBINED CASH FUND	1,131,293.47	
20-10120	CASH ON HAND	50.00	
20-10210	WATER ENTERPRISE CLEARING ACCT	7,603.69	
20-10250	COLOTRUST-WATER FUND	107.55	
20-10251	HIGH PLAINS WATER ENTPR FUND	182,808.26	
20-10260	COLOTRUST - DEVELOPMENT FEES	107.62	
20-10261	2011 USDA DEBT SERV RESERVE	101,283.09	
20-10262	2013 USDA DEBT SERV RESERVE	154,609.15	
20-10270	COLOTRUST-WATER BOND ACCOUNT	22.11	
20-10271	63.23% BOTW DEBT SERVICE	568.04	
20-10273	2020 BOTW LOAN--SINKING FUND	411,190.73	
20-10280	COLOTRUST-WATER BOND RESERVE	108.56	
20-10281	BANK OF THE WEST WTR RESRVS	21,295.09	
20-10282	2020 BOTW LOAN--D.S. RESERVE	255,883.59	
20-10290	OPERATION & MAINTENANCE FUND	107.61	
20-11500	ACCOUNTS RECEIVABLE	88,234.32	
20-14000	CWCB LOAN PROCEEDS ESCROW	1,133,775.50	
20-14100	PREPAID EXPENSE	276.31	
20-16100	LAND	661,549.57	
20-16200	WATER RIGHTS	5,022,202.92	
20-16300	CONSTRUCTION IN PROGRESS	46,000.00	
20-16400	PLANT EQUIPMENT	7,382,696.17	
20-16401	OTHER EQUIPMENT	28,834.06	
20-16410	ACCUMULATED DEPRECIATION	(1,796,869.05)	
	TOTAL ASSETS		14,833,738.36

LIABILITIES AND EQUITY

LIABILITIES

20-20200	ACCOUNTS PAYABLE	20,423.71	
20-20300	ACCRUED COMPENSATED ABSENCES	7,101.64	
20-20301	ACCR'D COMP ABS--CURR. PORTION	1,775.41	
20-20400	ACCRUED INTEREST PAYABLE	157,563.15	
20-22530	2013 USDA	471,062.09	
20-22540	REVENUE BOND PAYABLE-REA	2,719,371.76	
20-22550	BOTW LOAN--63.23% WATER	1,827,739.03	
20-22600	CAPITAL LEASES PAYABLE	239,931.50	
20-22650	2017 CWCB NOTE PAYABLE	2,408,850.00	
20-22900	CUSTOMER DEPOSIT LIABILITY	65,274.78	
	TOTAL LIABILITIES		7,919,093.07

FUND EQUITY

20-27900	RETAINED EARNINGS	6,464,467.93	
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TOWN OF WIGGINS
BALANCE SHEET
AUGUST 31, 2022

WATER ENTERPRISE

UNAPPROPRIATED FUND BALANCE:			
20-29001	SUSPENSE	109,258.19	
	REVENUE OVER EXPENDITURES - YTD	445,992.58	
	BALANCE - CURRENT DATE		555,250.77
	TOTAL FUND EQUITY		7,019,718.70
	TOTAL LIABILITIES AND EQUITY		14,938,811.77

TOWN OF WIGGINS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

WATER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUES</u>					
20-34000 WATER SALES	106,966.47	594,278.00	882,000.00	287,722.00	67.4
20-34001 CUSTOMER DEPOSITS	.00	445.00	35,000.00	34,555.00	1.3
20-34002 BULK WATER SALES	596.00	3,161.20	3,000.00	(161.20)	105.4
20-34440 TAP FEES & ACQUISITION FEES	40,000.00	473,000.00	800,000.00	327,000.00	59.1
20-34450 MISCELLANEOUS WATER INCOME	1,816.00	12,446.00	15,000.00	2,554.00	83.0
20-36000 WATER DEVELOPMENT CONTRIBUTION	.48	322.48	.00	(322.48)	.0
20-36001 RENTAL INCOME	.00	.00	12,000.00	12,000.00	.0
20-36100 INTEREST EARNED	1.08	219.34	.00	(219.34)	.0
TOTAL FUND REVENUE	149,380.03	1,083,872.02	1,747,000.00	663,127.98	62.0

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

WATER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PROFESSIONAL SERVICES</u>					
20-410-13 FINANCIAL AUDIT	.00	5,000.00	4,000.00	(1,000.00)	125.0
20-410-30 LEGAL SERVICE	1,758.00	2,436.50	5,000.00	2,563.50	48.7
20-410-31 WATER RIGHTS EXPENSES	1,067.00	50,314.50	95,000.00	44,685.50	53.0
20-410-32 PROFESSIONAL SERVICES	3,888.13	74,020.65	90,000.00	15,979.35	82.3
20-410-33 POSTAGE	580.16	901.91	2,000.00	1,098.09	45.1
20-410-34 WATER DEPOSIT REFUND	.00	.00	1,000.00	1,000.00	.0
20-410-38 PROFESSIONAL SERVICES	.00	.00	10,000.00	10,000.00	.0
20-410-40 TRAVEL, MEETINGS, & TRAINING	.00	309.97	4,000.00	3,690.03	7.8
20-410-44 POSTAGE MACHINE LEASE	.00	.00	105.00	105.00	.0
20-410-59 DESIGN/SYSTEM ENGINEERING	757.50	34,680.00	5,000.00	(29,680.00)	693.6
TOTAL PROFESSIONAL SERVICES	8,050.79	167,663.53	216,105.00	48,441.47	77.6
<u>WATER ADMINISTRATION</u>					
20-411-12 EMPLOYEE SALARY-ADMINISTRATION	.00	.00	65,793.00	65,793.00	.0
20-411-15 ADMINISTRATION DEPT EMPLOYEES	5,601.60	44,812.80	.00	(44,812.80)	.0
20-411-20 EMPLOYEE BENEFITS	548.11	4,384.88	10,505.00	6,120.12	41.7
20-411-22 FICA & MEDICARE	422.10	3,376.80	5,033.00	1,656.20	67.1
20-411-23 457 RETIREMENT	251.18	2,009.44	5,116.00	3,106.56	39.3
20-411-25 UNEMPLOYMENT INSURANCE	.00	34.20	197.00	162.80	17.4
20-411-26 WORKERS' COMPENSATION	.00	(1,758.55)	145.00	1,903.55	(1212.
20-411-72 UTILITY BILLING SOFTWARE EXP	.00	.00	2,920.00	2,920.00	.0
TOTAL WATER ADMINISTRATION	6,822.99	52,859.57	89,709.00	36,849.43	58.9
<u>PUBLIC WORKS ADMINISTRATION</u>					
20-430-11 SALARY-PW MAINTENANCE	1,062.58	8,500.64	30,040.00	21,539.36	28.3
20-430-15 EMPL SALARY-PW P/T SEASONAL	.00	.00	1,950.00	1,950.00	.0
20-430-20 EMPLOYEE BENEFITS	180.70	1,445.60	5,730.00	4,284.40	25.2
20-430-22 FICA & MEDICARE	67.86	542.88	2,298.00	1,755.12	23.6
20-430-23 457 RETIREMENT	31.88	255.04	901.00	645.96	28.3
20-430-25 UNEMPLOYMENT INSURANCE	.00	7.02	90.00	82.98	7.8
20-430-26 WORKERS' COMPENSATION	.00	354.75	3,345.00	2,990.25	10.6
TOTAL PUBLIC WORKS ADMINISTRATION	1,343.02	11,105.93	44,354.00	33,248.07	25.0
<u>SUPPLIES</u>					
20-431-22 EQUIPMENT REPAIRS AND MAINT	.00	2,753.16	5,000.00	2,246.84	55.1
20-431-62 FUEL	.00	262.81	6,000.00	5,737.19	4.4
20-431-75 VEHICLE REPAIR	.00	.00	5,000.00	5,000.00	.0
TOTAL SUPPLIES	.00	3,015.97	16,000.00	12,984.03	18.9

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

WATER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>OPERATIONS</u>					
20-432-00 LINE MAINTENANCE	.00	.00	2,500.00	2,500.00	.0
20-432-05 UTILITY LOCATE EXPENSE	.00	267.41	.00	(267.41)	.0
20-432-30 CONTRACT OPERATOR	400.00	2,400.00	6,000.00	3,600.00	40.0
20-432-35 COPIER LEASE	39.75	461.86	477.00	15.14	96.8
20-432-37 ANALYTICAL/SAMPLING EXPENSE	20.70	8,653.65	12,000.00	3,346.35	72.1
20-432-39 GIS	.00	.00	1,125.00	1,125.00	.0
20-432-40 TELEPHONE & INTERNET	192.61	1,238.61	800.00	(438.61)	154.8
20-432-41 UTILITIES-ELECTRIC	7,372.76	44,247.63	70,000.00	25,752.37	63.2
20-432-45 UTILITIES-GAS	41.84	1,784.48	500.00	(1,284.48)	356.9
20-432-46 CELL PHONE	.00	.00	764.00	764.00	.0
20-432-48 TRASH	.00	.00	100.00	100.00	.0
20-432-49 UTILITIES-PROPANE	.00	6,066.66	100.00	(5,966.66)	6066.7
20-432-50 PERMIT FEES	.00	1,220.00	300.00	(920.00)	406.7
20-432-52 INSURANCE AND BONDS	.00	7,072.51	8,000.00	927.49	88.4
20-432-53 BOOSTER STATION MAINTENANCE	.00	355.65	12,000.00	11,644.35	3.0
20-432-54 WATER MAIN INSTALLATION EXP	.00	1,228.99	7,500.00	6,271.01	16.4
20-432-55 METER INSTALL EXPENSE	5,495.58	12,350.84	30,000.00	17,649.16	41.2
20-432-56 MAINTENANCE (PLANT) RO	2,100.00	25,652.23	15,000.00	(10,652.23)	171.0
20-432-57 TREATMENT/OPERATING SUPPLIES	1,458.00	3,619.22	7,500.00	3,880.78	48.3
20-432-59 WATER WELL MAINTENANCE	737.55	1,002.81	1,000.00	(2.81)	100.3
20-432-61 OFFICE SUPPLIES	.00	406.51	1,500.00	1,093.49	27.1
20-432-68 COPIER EXPENSE	.00	712.52	390.00	(322.52)	182.7
20-432-70 IT SUPPORT	.00	.00	500.00	500.00	.0
20-432-75 SYSTEM REPAIR & MAINTENANCE	.00	1,302.24	.00	(1,302.24)	.0
20-432-85 WATER LEASES	.00	.00	70,000.00	70,000.00	.0
20-432-87 EQUIPMENT	.00	.00	5,000.00	5,000.00	.0
20-432-90 CAPITAL IMPROVEMENT PROJECT	.00	.00	100,000.00	100,000.00	.0
20-432-99 OTHER MISCELLANEOUS EXPENSE	2,852.96	42,701.95	1,000.00	(41,701.95)	4270.2
TOTAL OPERATIONS	20,711.75	162,745.77	354,056.00	191,310.23	46.0
<u>DEBT SERVICE</u>					
20-471-09 LOAN PMT-CWCB	.00	.00	45,000.00	45,000.00	.0
20-471-11 LOAN PAYMENT-USDA	.00	73,536.00	147,000.00	73,464.00	50.0
20-471-12 LEASE/PURCHASE PAYMTS-KAMMERER	.00	28,083.36	42,125.00	14,041.64	66.7
20-471-13 BOTW SINKING FUND PYMT	.00	36,132.75	40,000.00	3,867.25	90.3
20-471-14 BOTW INTEREST PYMT	.00	102,736.56	95,000.00	(7,736.56)	108.1
TOTAL DEBT SERVICE	.00	240,488.67	369,125.00	128,636.33	65.2
TOTAL FUND EXPENDITURES	36,928.55	637,879.44	1,089,349.00	451,469.56	58.6
NET REVENUE OVER EXPENDITURES	112,451.48	445,992.58	657,651.00	211,658.42	67.8

TOWN OF WIGGINS
BALANCE SHEET
AUGUST 31, 2022

SEWER ENTERPRISE

ASSETS

30-10100	CASH IN COMBINED CASH FUND	1,208,235.06	
30-10250	COLOTRUST FUND	107.55	
30-10251	HIGH PLAINS SEWER ENTPR FUND	63,653.05	
30-10260	COLOTRUST SEWER PROJECT	107.55	
30-10271	36.77% BOTW DEBT SERVICE	1,750.66	
30-10273	2020 BOTW LOAN--SINKING FUND	239,118.77	
30-10282	2020 BOTW LOAN--D.S. RESERVE	148,803.41	
30-10290	CD 1726--STORM SEWER WGNS SCH	12,301.08	
30-11500	ACCOUNTS RECEIVABLE	33,503.72	
30-14100	PREPAID EXPENSE	276.30	
30-16100	LAND	821,659.00	
30-16200	BUILDINGS	130,310.00	
30-16300	CONSTRUCTION IN PROGRESS	63,081.99	
30-16400	EQUIPMENT	2,118,488.31	
30-16401	OTHER EQUIPMENT	25,098.72	
30-16410	ACCUMULATED DEPRECIATION-EQ	(768,463.19)	
TOTAL ASSETS			4,098,031.98

LIABILITIES AND EQUITY

LIABILITIES

30-20200	ACCOUNTS PAYABLE	6,192.93	
30-20300	ACCRUED COMPENSATED ABSENCES	7,101.64	
30-20301	ACCR'D COMP ABS--CURR. PORTION	1,775.41	
30-20400	ACCRUED INTEREST PAYABLE	10,435.84	
30-22550	BOTH 36.77% SEWER LOAN	1,062,880.97	
30-22900	CUSTOMER DEPOSIT LIABILITY	10,420.32	
30-22905	DEVELOPER PERFORMANCE DEPOSIT	11,750.00	
TOTAL LIABILITIES			1,110,557.11

FUND EQUITY

30-27900	RETAINED EARNINGS	2,830,717.65	
UNAPPROPRIATED FUND BALANCE:			
30-29001	SUSPENSE	63,536.65	
	REVENUE OVER EXPENDITURES - YTD	117,950.83	
BALANCE - CURRENT DATE		181,487.48	
TOTAL FUND EQUITY			3,012,205.13
TOTAL LIABILITIES AND EQUITY			4,122,762.24

TOWN OF WIGGINS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

SEWER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUES</u>					
30-33420 DOLA GRANT	.00	.00	155,000.00	155,000.00	.0
30-34000 SEWER SALES	33,984.05	183,154.66	248,400.00	65,245.34	73.7
30-34001 CUSTOMER DEPOSITS	.00	130.00	35,000.00	34,870.00	.4
30-34440 TAP FEES	8,000.00	206,000.00	320,000.00	114,000.00	64.4
30-36100 INTEREST EARNED	.54	32.47	.00	(32.47)	.0
30-39110 TRANSFER FROM SALES TAX FUND	.00	.00	85,000.00	85,000.00	.0
TOTAL FUND REVENUE	41,984.59	389,317.13	843,400.00	454,082.87	46.2

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

SEWER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PROFESSIONAL SERVICES</u>					
30-410-13 FINANCIAL AUDIT	.00	5,000.00	8,000.00	3,000.00	62.5
30-410-30 LEGAL SERVICE	1,581.00	1,581.00	500.00	(1,081.00)	316.2
30-410-32 PROFESSIONAL SERVICES	311.06	15,227.50	15,000.00	(227.50)	101.5
30-410-33 POSTAGE	331.53	567.09	2,100.00	1,532.91	27.0
30-410-34 SEWER DEPOSIT REFUND	.00	.00	500.00	500.00	.0
30-410-35 COPIER LEASE	39.75	461.80	477.00	15.20	96.8
30-410-40 TRAINING	.00	310.06	1,000.00	689.94	31.0
30-410-44 POSTAGE MACHINE LEASE	.00	.00	105.00	105.00	.0
30-410-67 OFFICE SUPPLIES	.00	.00	200.00	200.00	.0
30-410-68 COPIER EXPENSE	.00	.00	600.00	600.00	.0
TOTAL PROFESSIONAL SERVICES	2,263.34	23,147.45	28,482.00	5,334.55	81.3
<u>SEWER ADMINISTRATION</u>					
30-411-14 EMPL SALARY'S-ADMINISTRATION	.00	.00	45,524.00	45,524.00	.0
30-411-15 ADMINISTRATION DEPT EMPLOYEES	5,601.60	44,812.80	.00	(44,812.80)	.0
30-411-20 EMPLOYEE BENEFITS	548.10	4,384.80	7,162.00	2,777.20	61.2
30-411-22 FICA & MEDICARE	422.12	3,376.96	3,483.00	106.04	97.0
30-411-23 457 RETIREMENT	251.16	2,009.28	3,610.00	1,600.72	55.7
30-411-25 UNEMPLOYMENT INSURANCE	.00	34.19	137.00	102.81	25.0
30-411-26 WORKERS' COMPENSATION	.00	(1,195.75)	145.00	1,340.75	(824.7)
30-411-70 IT SUPPORT	.00	.00	250.00	250.00	.0
30-411-72 UTILITY SOFTWARE EXP	.00	.00	2,920.00	2,920.00	.0
TOTAL SEWER ADMINISTRATION	6,822.98	53,422.28	63,231.00	9,808.72	84.5
<u>PUBLIC WORKS ADMINISTRATION</u>					
30-430-11 SALARY-PW MAINTENANCE	1,062.58	8,500.64	.00	(8,500.64)	.0
30-430-12 SALARY-PW MAINTENANCE	.00	1,410.78	30,040.00	28,629.22	4.7
30-430-13 EMPL SALARY-PW P/T SEASONAL	.00	.00	1,950.00	1,950.00	.0
30-430-20 EMPLOYEE BENEFITS	180.70	1,445.60	5,730.00	4,284.40	25.2
30-430-22 FICA & MEDICARE	67.88	650.94	2,298.00	1,647.06	28.3
30-430-23 457 RETIREMENT	31.88	255.04	901.00	645.96	28.3
30-430-25 UNEMPLOYMENT	.00	9.27	149.00	139.73	6.2
30-430-26 WORKERS' COMPENSATION	.00	222.95	90.00	(132.95)	247.7
TOTAL PUBLIC WORKS ADMINISTRATION	1,343.04	12,495.22	41,158.00	28,662.78	30.4

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

SEWER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WWTP</u>					
30-431-22 EQUIPMENT MTNCE & REPAIRS	.00	.00	10,000.00	10,000.00	.0
30-431-41 UTILITIES-ELECTRIC	.00	.00	11,000.00	11,000.00	.0
30-431-45 UTILITIES-GAS	.00	.00	400.00	400.00	.0
30-431-48 TRASH	.00	.00	876.00	876.00	.0
30-431-51 WWTP ENGINEERING & CONTINGENCY	180.00	4,717.50	5,000.00	282.50	94.4
30-431-59 ENGINEERING DESIGN	.00	8,052.50	5,000.00	(3,052.50)	161.1
30-431-62 FUEL	.00	262.82	3,500.00	3,237.18	7.5
30-431-74 CAPITAL OUTLAY WWTP	.00	.00	25,000.00	25,000.00	.0
30-431-75 VEHICLE REPAIRS	.00	.00	5,000.00	5,000.00	.0
TOTAL WWTP	180.00	13,032.82	65,776.00	52,743.18	19.8
<u>OPERATIONS</u>					
30-432-00 LINE MAINTENANCE	.00	.00	12,000.00	12,000.00	.0
30-432-05 UTILITY LOCATE EXPENSE	.00	210.61	.00	(210.61)	.0
30-432-30 CONTRACT OPERATOR	400.00	2,400.00	6,000.00	3,600.00	40.0
30-432-39 COMPUTER SOFTWARE-GIS	.00	.00	1,125.00	1,125.00	.0
30-432-41 UTILITIES(ELECTRIC)	1,683.63	16,330.13	25,000.00	8,669.87	65.3
30-432-42 TELEPHONE/INTERNET	160.56	782.32	800.00	17.68	97.8
30-432-45 UTILITIES --GAS	41.82	901.67	100.00	(801.67)	901.7
30-432-46 CELL PHONE	.00	.00	764.00	764.00	.0
30-432-48 TRASH	.00	400.00	.00	(400.00)	.0
30-432-50 PERMIT FEES	.00	3,331.00	1,650.00	(1,681.00)	201.9
30-432-51 ANALYTICAL/SAMPLING EXPENSE	1,226.40	6,822.80	4,500.00	(2,322.80)	151.6
30-432-52 INSURANCE AND BONDS	.00	7,072.49	8,000.00	927.51	88.4
30-432-53 SEWER CLEANING/VIDEO	.00	.00	15,000.00	15,000.00	.0
30-432-54 INSTALLATION OF LINE EXPENSE	295.62	295.62	.00	(295.62)	.0
30-432-55 GENERAL MAINT CENT LIFT ST	.00	.00	1,000.00	1,000.00	.0
30-432-56 GENERAL MAINT OF PLANT	299.98	2,903.76	2,500.00	(403.76)	116.2
30-432-57 GENERAL MAINT JOHNSON LT ST	32.00	294.00	2,000.00	1,706.00	14.7
30-432-59 ENGINEERING DESIGN	.00	.00	15,000.00	15,000.00	.0
30-432-60 TREATMENT OPERATIONS	1,458.00	5,970.81	10,000.00	4,029.19	59.7
30-432-61 OFFICE SUPPLIES	.00	793.15	1,500.00	706.85	52.9
30-432-75 CAPITAL OUTLAY - LINES	.00	1,266.00	331,730.00	330,464.00	.4
30-432-99 OTHER MISCELLANEOUS EXPENSE	.00	(2,113.50)	1,000.00	3,113.50	(211.4)
TOTAL OPERATIONS	5,598.01	47,660.86	439,669.00	392,008.14	10.8
<u>DEBT SERVICE</u>					
30-471-13 BOTW SINKING FUND PYMT	.00	96,798.51	80,000.00	(16,798.51)	121.0
30-471-14 BOTW INTEREST PYMT	.00	24,809.16	.00	(24,809.16)	.0
TOTAL DEBT SERVICE	.00	121,607.67	80,000.00	(41,607.67)	152.0

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

	SEWER ENTERPRISE				
	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
TOTAL FUND EXPENDITURES	16,207.37	271,366.30	718,316.00	446,949.70	37.8
NET REVENUE OVER EXPENDITURES	25,777.22	117,950.83	125,084.00	7,133.17	94.3

TOWN OF WIGGINS
BALANCE SHEET
AUGUST 31, 2022

SALES TAX CAPITAL IMPROVEMENT

ASSETS

40-10100	CASH IN COMBINED CASH FUND	726,274.02	
40-10250	COLOTRUST FUND	107.55	
40-10251	HIGH PLAINS 1% TAX FUND	15,177.27	
40-11500	ACCOUNTS RECEIVABLE	44,015.44	
	TOTAL ASSETS		785,574.28

LIABILITIES AND EQUITY

LIABILITIES

40-25320	FUND BALANCE	620,845.59	
	TOTAL LIABILITIES		620,845.59

FUND EQUITY

UNAPPROPRIATED FUND BALANCE:
REVENUE OVER EXPENDITURES - YTD

164,728.69

BALANCE - CURRENT DATE

164,728.69

TOTAL FUND EQUITY

164,728.69

TOTAL LIABILITIES AND EQUITY

785,574.28

TOWN OF WIGGINS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

SALES TAX CAPITAL IMPROVEMENT

		<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEARNED</u>	<u>PCNT</u>
	<u>REVENUES</u>					
40-31300	1% TOWN SALES TAX	27,901.57	175,523.18	200,000.00	24,476.82	87.8
40-36100	INTEREST EARNED	.91	5.51	5.00	(.51)	110.2
	TOTAL FUND REVENUE	<u>27,902.48</u>	<u>175,528.69</u>	<u>200,005.00</u>	<u>24,476.31</u>	<u>87.8</u>

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

SALES TAX CAPITAL IMPROVEMENT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>CAPITAL PROJECTS</u>					
40-430-00 CAPITAL PROJECTS - SEWER	.00	.00	85,000.00	85,000.00	.0
40-430-05 CIP-NORTH STORM DETENTION	.00	.00	75,000.00	75,000.00	.0
40-430-10 CIP-MAIN STREET C&G 3RD TO 5TH	.00	.00	60,000.00	60,000.00	.0
40-430-15 CAPITAL PROJECT--K PARK ELEC	10,800.00	10,800.00	.00	(10,800.00)	.0
TOTAL CAPITAL PROJECTS	10,800.00	10,800.00	220,000.00	209,200.00	4.9
TOTAL FUND EXPENDITURES	10,800.00	10,800.00	220,000.00	209,200.00	4.9
NET REVENUE OVER EXPENDITURES	17,102.48	164,728.69	(19,995.00)	(184,723.69)	823.9

TOWN OF WIGGINS
BALANCE SHEET
AUGUST 31, 2022

CONSERVATION TRUST

ASSETS

50-10100	CASH IN COMBINED CASH FUND	16,233.99	
50-10250	COLOTRUST FUND	107.55	
50-10251	HIGH PLAINS CNSRVTN TRST FUND	14,226.85	
	TOTAL ASSETS		30,568.39

LIABILITIES AND EQUITY

LIABILITIES

50-25320	FUND BALANCE	24,873.13	
	TOTAL LIABILITIES		24,873.13

FUND EQUITY

UNAPPROPRIATED FUND BALANCE:			
REVENUE OVER EXPENDITURES - YTD	5,695.26		
BALANCE - CURRENT DATE		5,695.26	
TOTAL FUND EQUITY			5,695.26
TOTAL LIABILITIES AND EQUITY			30,568.39

TOWN OF WIGGINS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

CONSERVATION TRUST

		<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEARNED</u>	<u>PCNT</u>
	<u>REVENUES</u>					
50-33501	CT - ST PROCEEDS (LOTTERY)	.00	9,287.74	10,000.00	712.26	92.9
50-36100	INTEREST EARNED	.27	7.52	10.00	2.48	75.2
	TOTAL FUND REVENUE	.27	9,295.26	10,010.00	714.74	92.9

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 8 MONTHS ENDING AUGUST 31, 2022

CONSERVATION TRUST

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ADMINISTRATION</u>					
50-411-11 GROUNDKEEPER SALARY	.00	.00	5,460.00	5,460.00	.0
50-411-22 FICA	.00	.00	418.00	418.00	.0
50-411-25 UNEMPLOYMENT	.00	.00	16.00	16.00	.0
50-411-26 WORKERS' COMPENSATION	.00	.00	100.00	100.00	.0
TOTAL ADMINISTRATION	.00	.00	5,994.00	5,994.00	.0
<u>DEPARTMENT 430</u>					
50-430-15 CAPITAL OUTLAY--K PARK ELEC	3,600.00	3,600.00	.00	(3,600.00)	.0
TOTAL DEPARTMENT 430	3,600.00	3,600.00	.00	(3,600.00)	.0
<u>PARK OPERATIONS</u>					
50-452-60 REPAIRS AND MAINTENANCE	.00	.00	3,000.00	3,000.00	.0
TOTAL PARK OPERATIONS	.00	.00	3,000.00	3,000.00	.0
TOTAL FUND EXPENDITURES	3,600.00	3,600.00	8,994.00	5,394.00	40.0
NET REVENUE OVER EXPENDITURES	(3,599.73)	5,695.26	1,016.00	(4,679.26)	560.6



STAFF SUMMARY

Board of Trustees Meeting September 28, 2022

DATE: September 22, 2022

AGENDA ITEM NUMBER: 5

TOPIC: Public Hearing and Consideration of a Special Review Use for Brann RV/Boat Storage and RV Park (Campground)

STAFF MEMBER RESPONSIBLE: Hope Becker, Planning & Zoning Administrator

BACKGROUND:

Brady Powers and Robin Sewing have submitted a Special Review Use Application requesting to develop a RV/Camper/Boat storage area and a RV Park (campground). The new development would be located in the Walton and Thomas Minor Subdivisions. The applicants desire to fulfill a storage need for community members that have recreational vehicles. They also see a need that short term housing for folks that may have recreational vehicles to live in but no place to park.

SUMMARY:

The Walton and Thomas Minor Subdivisions are located in the Commercial District with RV Parks (campgrounds) and Recreational Vehicles Storage listed as a use by special review. The application was presented in a hearing before the Planning and Zoning Commission on September 13, 2022.

In light of concerns that were brought up at the Planning & Zoning hearing, Staff reached out to various organizations to provide additional information for the Board of Trustees consideration.

Staff spoke with the Wiggins Rural Fire District Interim Chief, John Pachek, regarding fire and emergency response concerns.

- Road widths of the development was a concern. Consideration of the type of trucks needed for emergency response must be considered so that the trucks are able to get in and out without being concerned about narrow access routes, dead ends and/or circles.
- Another concern brought up with emergencies, is the access points to the development due to the presence of a gated entrance. If it is a gated, the fire department will need

some sort of code or key for quick access. A consideration could be to include a knox box for keys to the entrance; mounted to a solid structure. This is something that is usually required with commercial buildings depending on their security and/or fire alarm set up.

- The use of propane is always a concern as it is flammable; however, it was noted in the conversation with a fire department representative, that if the lots were a good distance apart it would lessen the risk.

Staff also sought out information from other municipalities that have experience with RV Parks. Some enforced lengths of stay while others did not. Overall, the common comments from the other municipalities with RV parks present in their community were:

- Providing amenities such as: laundry facilities, playgrounds, on site management, and the allowance of code enforcement to randomly enter to check up on health and safety issues. Such items tended to discourage tenants prone to sex trafficking and drugs due to the constant interactions.
- Parks with landscaping and more finished hard surfacings tend to exhibit owners that care about the property. Especially if it is well maintained.

The Commissioners also heard concerns from a resident and another local business owner of Wiggins. The minutes reflect that a concern was brought up by the resident questioning whether the development would affect the already low water pressure she experienced on the north side of Town. Town Manager, Tom Acre, communicated with the Commissioners that he would talk with the appropriate engineers to determine if a solution could be rendered for the low water pressure.

Other concerns expressed by Glen Neal in the Commissioner meeting, included the potential that such a development would encourage sex trafficking and drugs in Wiggins. Another concern was the use of an easement access point off of Central Avenue as a means of entry into the RV Park and Storage areas. The applicant confirmed that they plan on only using North Main Street as their entry and exit access points. Central Avenue would just be the location of a signage directing traffic to this access points.

The applicants have provided examples of agreements that they would provide to their tenants or customers for the storage of recreational vehicles. One of the Staff recommended conditions to the resolution is that the applicants would be required to adopt and enforce rules that would be similar or in the same form as what is included in these sample agreements and rules.

The Planning and Zoning Commission forwarded this Special Review Use application with a recommendation of approval to the Board of Trustees with the following conditions:

1. Applicant shall adopt and enforce rules and regulations for the campground substantially in the same form as those included with the application.

2. Stays in the RV Park (campground) shall not exceed the time limits for campground stays as set forth in the Wiggins Land Development Code, as amended from time to time. Currently, the maximum stay is 30 days.
3. Electrical, potable water, and sanitary hookups will be permanently installed at each designated recreational vehicle site.
4. This special review use is personal to Brann RV Park and may not be transferred without the consent of the Board of Trustees. If a transfer is granted, the Board of Trustees may impose such additional terms and conditions as may be required to meet the criteria for special review uses set forth by the Wiggins Land Development Code.
5. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.
6. The applicants will be required to apply for a Town of Wiggins Business License.

All documents presented at the Planning and Zoning Commission hearing and the minutes of the Planning and Zoning Commission meeting are included in this packet for review to the Board of Trustees.

FISCAL IMPACT:

Approving this Resolution has no negative impact on the Town's adopted budget.

APPLICABILITY TO TOWN OBJECTIVES AND GOALS TO PROVIDE SERVICES:

Consideration of the Special Review Use for the development of RV/Boat storage area and a temporary RV Park (campground) supports the Town's desire to support businesses in their efforts to provide services to community members.

OPTIONS AVAILABLE TO THE BOARD OF TRUSTEES

The Board of Trustees may approve the Special Review Use, deny the Special Review Use, or approve the Special Review with additional/modified conditions. Alternatively, if the Board of Trustees needs additional information or time to make its decision, it can continue the hearing until the Board's next meeting. If you wish to continue the hearing, here is a proposed motion: "I move to continue this public hearing to the Town Board meeting on October 26, 2022 at 7 pm."

MOTION FOR APPROVAL:

I make the motion to adopt Resolution 31-2022: A Resolution Approving a Special Review Use for Brann RV Park/Boat Storage and RV Park (Campground) Located in the Walton and Thomas Minor Subdivisions with Conditions.

ACTION REQUESTED:

Motion, Second, Roll-Call Vote.

(Resolutions require affirmative votes from the majority of Trustees present.)

**TOWN OF WIGGINS
RESOLUTION NO. 31-2022**

**A RESOLUTION APPROVING A SPECIAL REVIEW USE FOR BRANND RV PARK FOR A RV/BOAT
STORAGE AND RV PARK (CAMPGROUND) LOCATED IN THE WALTON AND THOMAS MINOR
SUBDIVISIONS**

WHEREAS, there has been submitted to the Board of Trustees of the Town of Wiggins a request for approval of Special Review Use for Brannd RV Park for a RV/boat storage and RV park (campground) located in the Walton and Thomas Minor Subdivisions; and

WHEREAS, all materials related to the proposed special review use have been reviewed by the Town Staff and the Wiggins Planning Commission and found with conditions to be in compliance with the Town of Wiggins subdivision and zoning ordinances and related Town ordinances, regulations, and policies; and

WHEREAS, the Wiggins Planning Commission has held a properly noticed public hearing on the application, and has forwarded to the Board of Trustees a recommendation of approval with conditions; and

WHEREAS, the Board of Trustees has duly considered the proposed special review use and has held a properly noticed public hearing on the application; and

WHEREAS, the Board of Trustees find that the proposed special review use should be approved, subject to certain conditions.

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

Section 1. The Board of Trustees of the Town of Wiggins hereby approves a resolution approving a Special Review Use for Brannd RV Park for a RV/boat storage and RV park (campground) located in the Walton and Thomas Minor Subdivisions, subject to the conditions set forth on Exhibit A attached hereto and incorporated by reference.

INTRODUCED, READ, AND ADOPTED THIS 28TH DAY OF SEPTEMBER, 2022.

TOWN OF WIGGINS, COLORADO

Chris Franzen, Mayor

ATTEST:

Deborah Lee, Town Clerk

EXHIBIT A

The following conditions shall apply to this special review use approval:

1. Applicants shall adopt and enforce rules, regulations, and applications for the campground substantially in the same form as those included with this special review use hearing material.
2. Stays in the RV Park (campground) shall not exceed the time limits for campground stays as set forth in the Wiggins Land Development Code, as amended from time to time. Currently, the maximum stay is 30 days.
3. Electrical, potable water, and sanitary hookups will be permanently installed at each designated recreational vehicle site.
4. The applicants shall install a privacy fence adjacent to neighboring businesses and residential properties, with the proper building permits. Fencing for the RV Park adjacent to Main Street shall be open style fence. Proper building permits are required.
5. The applicants shall enter into an improvement agreement with the Town to address upsizing the waterline on North Main Street (County Road 4) that will service the RV Park area.
6. The applicants shall purchase the appropriate size water and sewer taps from the Town of Wiggins.
7. The access easements indicated on the recorded plats shall remain open and accessible by the public.
8. The applicants shall allow Wiggins Police Department and Code Enforcement to patrol the RV Park (campground) for Health and Safety concerns as needed.
9. The applicant shall ensure that accesses and drive lanes are sufficient in size to allow Wiggins Rural Fire District adequate access to the RV Park lots if needed in an emergency.
10. This special review use is personal to Brannnd RV Park and may not be transferred without the consent of the Board of Trustees. If a transfer is granted, the Board of Trustees may impose such additional terms and conditions as may be required to meet the criteria for special review uses set forth by the Wiggins Land Development Code.
11. The applicants will be required to apply for a Town of Wiggins Business License.
12. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.



Town of Wiggins
Planning & Zoning Department
 304 E Central Avenue * Wiggins, CO 80654
 Phone: (970) 483-6161 * Fax: (970) 483-7364
<http://townofwiggins.colorado.gov>

LAND USE APPLICATION

Please fill form out completely. Incomplete applications will not be processed.

STAFF USE ONLY		
FILE NAME: WALTON MINOR SUBDIVISION-POWER/SEWING- SPECIAL REVIEW		
FILE NO: P&Z RES 08-2022	DATE SUBMITTED: 7/7/2022	FEES PAID: \$250.00

Project Name: Brannd RV Park

Project Physical Address (if applicable): 107 Central Ave Wiggins CO

Project Description: Develop the back 8 plus acres into an RV Park with zero scaping in between the lots. There will be water and sewer hook ups for each lot. Aproximately 40 spaces will be created. Concrete aprons will be at each entrance on 4th St. Lot 1 behind the realty office will be boat and camper storage spaces. Existing Buildings will be leased for interior storage. Existing Silos will be turned into a Hotel/Motel.

Legal Description: (Attach legal description if Metes & Bounds)

Subdivision Name: (If applicable) Waton Minor, Thomas Sub

Filing No. _____ **Lot No.** 1,3,1 **Block No.** _____ **Section** _____ **Township** _____ **Range** _____

PROPERTY OWNER (Attach separate sheets if multiple)		AUTHORIZED REPRESENTATIVE	
Name/Company: Cow Tipping LLC.		Company/Firm:	
Contact Person: Brady Powers, Robun Sewing		Contact Person:	
Address: 10756 CR 20		Address:	
City/State/Zip: Ft. Lupton, CO 80621		City/State/Zip:	
Phone: 970-581-9909 303-210-1939		Phone:	
Email: branndcattleco@gmail.com		Email:	
MINERAL RIGHTS OWNER (Attach separate sheets if multiple)		MINERAL LEASE OWNER (Attach separate sheets if multiple)	
Name/Company:		Name/Company:	
Address:		Address:	
City/State/Zip:		City/State/Zip:	
LAND-USE & SUMMARY INFORMATION			
Present Zoning:		Gross Site Density (du/ac):	
Proposed Zoning: Commercial		# Lots/Units Proposed:	
Gross Acreage: 10+/-			

SERVICE PROVIDERS	
Electric: Morgan County REA	Gas: XCEL
Special District:	Fire District:
Water: (If other than Town)	Sewer: (If other than Town)

DEVELOPMENT REVIEW FEES			
ANNEXATION			
<input type="checkbox"/> Annexation	\$3,500.00		
<input type="checkbox"/> Disconnection	\$500.00		
MAJOR SUBDIVISION		ZONING / REZONING / SPECIAL REVIEW	
<input type="checkbox"/> Preliminary Development Plan	\$3,500.00	<input type="checkbox"/> Rezoning	\$3,500.00
<input type="checkbox"/> Final Development Plan (Res)	\$3,000.00	<input checked="" type="checkbox"/> Special Use	\$250.00
<input type="checkbox"/> Final Development Plan (Comm)	\$4,000.00	<input type="checkbox"/> Conditional Use	\$250.00
MINOR SUBDIVISION		SITE SPECIFIC (COMMERCIAL)	
<input type="checkbox"/> Minor Subdivision	\$2,500.00	<input type="checkbox"/> Commercial Infill Final Dev Plan	\$3,500.00
VARIANCE	VACATION		BOUNDARY LINE / LOT MERGERS
<input type="checkbox"/> Residential	<input type="checkbox"/> Vacation of	\$1,000.00	<input type="checkbox"/> Boundary Line Adj / Lot Merger
<input type="checkbox"/> Commercial			\$350.00

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understands that the application must be found to be complete by the Town of Wiggins before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Wiggins. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Property Owner Signature: _____ Date: 7-7-2022

Property Owner Signature: _____ Date: 7-7-2022

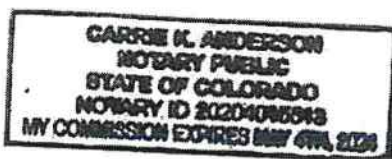
STATE OF COLORADO)
) ss.
 County of Morgan)

The foregoing instrument was acknowledged before me this 8th day of July, 2022.

By Carrie K. Anderson

My commission expires: May 4th 2024

Witness my hand and official seal.



Notary Public

LAND SURVEY PLAT

LOT 1 OF WIGGINS-WALTON MINOR SUBDIVISION - CORRECTED PLAT AND LOTS 1 AND 3, THOMAS MINOR SUBDIVISION, BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 60 WEST OF THE 6TH P.M., COUNTY OF MORGAN, STATE OF COLORADO

LEGAL DESCRIPTION

(PROVIDED BY EQUITY TITLE ASSOCIATES, L.L.C. TITLE COMMITMENT FILE NO. 0886, DATED APRIL 1, 2005)

LOT 1 OF WIGGINS-WALTON MINOR SUBDIVISION, ACCORDING TO THE CORRECTED PLAT THEREOF, COUNTY OF MORGAN, STATE OF COLORADO.

AND

LOTS 1 AND 3 OF THOMAS MINOR SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, COUNTY OF MORGAN, STATE OF COLORADO.

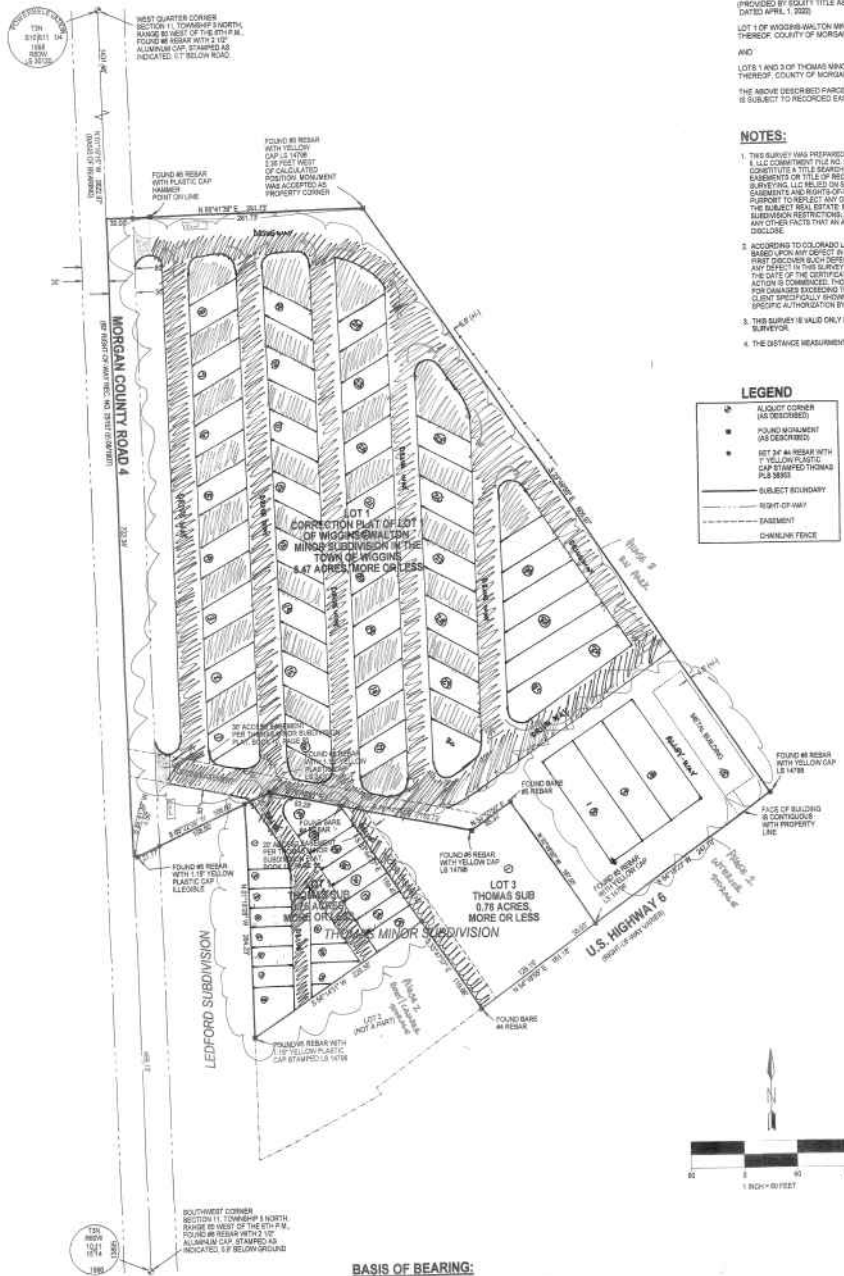
THE ABOVE DESCRIBED PARCELS OF LAND CONTAIN 8.88 ACRES, MORE OR LESS AND IS SUBJECT TO RECORDED EASEMENTS AND RIGHTS OF WAY.

NOTES:

1. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF EQUITY TITLE ASSOCIATES, L.L.C. COMMITMENT FILE NO. 0886, DATED APRIL 1, 2005 AND DOES NOT CONSTITUTE A TITLE SEARCH BY THOMAS LAND SURVEYING, L.L.C. TO DETERMINE EASEMENTS OR TITLE OF RECORD. AT CLIENT'S REQUEST, THOMAS LAND SURVEYING, L.L.C. HAS CONDUCTED A VISUAL INSPECTION OF THE SURVEYED PROPERTY TO VERIFY THE LOCATION OF THE SURVEYED PROPERTY AND TO VERIFY THE LOCATION OF THE SURVEYED PROPERTY. THE SURVEY DOES NOT GUARANTEE THE ACCURACY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE. BUILDING SETBACK LINES, ADJACENT COORDINATE, ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
2. ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON. IN THE EVENT LEGAL ACTION IS COMMENCED, THOMAS LAND SURVEYING, L.L.C. WILL NOT BE LIABLE FOR DAMAGES EXCEEDING THE COST OF THIS SURVEY AND THEN ONLY TO THE CLIENT SPECIFICALLY INFORMED OR TO ANY PERSON OR ENTITY, OTHER THAN THE CLIENT, WHOSE DEFENSE OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
3. THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
4. THE DISTANCE MEASUREMENTS SHOWN HEREON ARE U.S. SURVEY FOOT.

LEGEND

- ALLOT CORNER (AS DESCRIBED)
- FOUND MONUMENT (AS DESCRIBED)
- SET BY AN REBAR WITH YELLOW PLASTIC CAP STAMPED THOMAS PLUS MARK
- SUBJECT BOUNDARY
- RIGHT OF WAY
- EASEMENT
- CHAINLINE FENCE



BASIS OF BEARING:

THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 60 WEST OF THE 6TH P.M., IS ASSUMED TO BEAN NORTH-57°01'51" WEST AND IS MONUMENTED AS INDICATED.

SURVEYOR'S CERTIFICATE:

I, ROBERT E. THOMAS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY TO RECORD AND SUBMIT THAT THIS LAND SURVEY WAS PREPARED BY ME, OR UNDER MY PERSONAL SUPERVISION, AND THAT THIS PLAT IS AN ACCURATE REPRESENTATION THEREOF, BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF. I FURTHER CERTIFY THAT THE SURVEY AND THIS PLAT COMPLY WITH ALL APPLICABLE RULES, REGULATIONS AND LAWS OF THE STATE OF COLORADO. ESTATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESS OR IMPLIED.

ROBERT E. THOMAS
COLORADO PROFESSIONAL LAND SURVEYOR #8830
ON BEHALF OF THOMAS LAND SURVEYING, L.L.C.

DATE
4/11/2005





SITE RULES

- Observe and obey all posted signs throughout the resort and adjacent property.
- Please respect guest's privacy by not walking through occupied sites.
- All waste disposal hookups must be sealed with all hoses and connections free of leaks.
- Trash pick-up at site is once a week. Please do NOT set trash out overnight. No large or bulk items.
- Please keep your campsite area neat and organized.
- ONLY one recreational vehicle per site.
- ONLY 2 cars per site. All vehicles including golf carts must fit on the concrete pad.
- Maximum of 4 persons per site and no more than 4 adults per site.
- No motorized vehicles on the grass.
- Propane: If you would like your tanks filled, please put them at the end of your site by 10:00 A.M. with your name and site number. We will fill them, return them and charge your card on file.

OUTDOOR LIVING SPACE:

- Only customary outdoor patio/lawn furniture and accessories may be left outside.
- Please do not remove picnic tables from their sites without resort approval.
- Please close awnings, canopies and umbrellas when RV is unattended. Strong winds can cause serious damage or loss of property.

ALLOWED/OK:

- Outdoor Patio Furniture



- One (1) golf cart
- Traditional Grill
- Kayaks/Paddleboards

PROHIBITED/DON'TS:

- Tents or Tarps
- Pools, Hot Tubs
- Perimeter fencing/pet fences or pet pens
- Clotheslines
- Indoor Furniture
- Open Trailers
- Affixing to Trees
- No ATV's/ Minibikes/ Go Carts or Side by Sides
- Drones/ remote controlled toys
- Fireworks/firearms/bow and arrows/ pellet guns
- Hazardous materials

Park personnel will periodically inspect sites to assure compliance with resort rules.

RV POLICY

- All recreational vehicles must be currently registered and maintained in good condition and in running order.
- Brann RV Park must approve any RV 15 years and older prior to making reservations.
- No RV deemed to be in "poor" condition (e.g., broken or cracked windows, flat tires, rusted, badly dented, or in need of paint) will be allowed in the RV Resort.



- Approved recreational vehicles include: Class A, Class B and Class C Motorhomes, Fifth wheels, hard sided Travel Trailers, Pop up Trailers and Toy Haulers.
- All RV's must be leveled and supported with the proper equipment

VEHICLE POLICY

- Management is not responsible for damage, injury, or loss to either person or property. The owner/management of Brannd RV Park absolve themselves from all liability and responsibility pertaining to loss by fire, theft, weather, acts of God, property damage, accident or any other cause whatsoever, and guest agree to save, protect and hold harmless Brannd RV Park LLC.
- Automobiles and RV's must park in designated parking areas. TWO (2) motorized vehicles/ or TWO (2) motorcycles are allowed per site; the vehicle(s) may not infringe on adjacent sites or grass areas.
- RV's, automobiles and motorcycles must be currently registered, in good running order and operated by a licensed driver. Issues such as flat tires, dead battery, leaks, broken windows or is deemed to be in general poor condition, including exterior, may not be parked with the RV Park.
- All vehicle repairs, maintenance (e.g., oil changes, lubes, etc.), and washing RVs are prohibited.
- Golf carts are allowed to be operated only by licensed drivers and all passengers must be safely seated at all times.
- All posted traffic signs must be obeyed, and the posted speed limit is 5 mph and is strictly enforced.
- No boat, utility, storage or auto trailers may be parked in the RV Resort without RV Resort approval. Vehicles in violation of these rules will be towed at the owners' expense.
- ATV's, Side-by-Side's, Minibikes are prohibited from resort premises.

CUSTOMER RESPONSIBILITY



- Any customer or guest destroying/damaging park or other customer's property will be required to make restitution. If your RV has an electrical problem creating a problem with the park electric and a certified electrician has to be called, you will be responsible for the cost of the electrician's service call and damages.
- Brannd RV Park shall provide utility hook-ups at the site for sewer, water and electrical service. Guests shall not make any alteration to the electric, water or sewer connections provided by the Resort.
- The Parks responsibility shall extend only to the point of connection and the Park shall not have any responsibility for the condition or functioning of any pipes, conduits or wires from such point of connection to the guest's RV. Wastewater must be disposed of properly, no dumping on the ground. Please use the appropriate sewer connection.
- Brannd RV Park reserves the right to disconnect utilities in order that repair, alterations or additions may be made. Guests will be notified, when possible, of any planned utility system shutdown.
- Brannd RV Park shall not be responsible for any loss suffered by any guest from planned or emergency shutdowns.
-

PARKING

- There can be no parking on any street per the Fire Marshal.
- Any vehicle (car, golf cart, watercraft, etc.) parked illegally is subject to being towed (at owner's expense), and/or locked and fined \$50.

CHILDREN



Parents are responsible for the whereabouts, safety and conduct of their children so keep an eye on them please. All minors must always have adult supervision.

WHEELED TOYS

Bicycles/skateboards/roller skates must be operated with extreme caution and adult must supervise minors while operating on premises.

CODE OF CONDUCT & POLICIES

- As our guests, please observe the following rules and most importantly, let us be reminded of the Golden Rule: "Do unto others as you would have them do unto you."
- Smoking (Strict Enforcement) permitted at individual sites only. No smoking in any common areas.
- All guests should be courteous to other guests; ensuring noise levels are acceptable even during the day. Loud music is not permitted at any time. RV owners shall be responsible for the conduct of their family members, guests and/or visitors while at Brannd RV Park. RV owners, their family members, guests or visitors who create a disturbance or behave in a manner that constitutes a threat or substantial nuisance to other RV Park guests will not be allowed to remain on the property.
- Quiet time is 10:00 p.m. to 8:00 a.m. No motorcycles, diesel vehicles or other vehicles with louder than normal exhaust may be operated inside the RV Park during this time.
- No generators may be used in the RV Park.



- Please place trash in plastic bags and dispose of garbage in the resort provided dumpsters and do not throw personal garbage in restrooms, laundry, clubhouse or other facility trashcans.
- Please do not tamper with the landscaping, electric or plumbing systems.
- No soliciting, peddling, loitering, trespassing or trading allowed on the park.
- No criminal or drug related activity in or near the Park will be tolerated.

PET RULES

- Pets are welcome and must be kept on a leash or confined to the RV owner's site at all times. (This is a State Law.) Up to two (2) pets, subject to approval, per site.
- We do not allow any pens, fences or kennels in the park.
- Please do not leave your pets unattended or exposed to the environment.
- All pet waste is to be cleaned up as soon as deposited, including the RV owner's site. This is a health issue and if you do not comply you will be asked to vacate the Park.
- We prohibit breeds as having aggressive or unfriendly behavior to both dogs/cats and humans.
- Pets must be on leashes (maximum 12') when outside of RV's.
- Pets must be accompanied by an adult (over 12) when outside of the RV. No animal is to be left outside the RV when the RV owner is away from the site.
- Service animals of any breed are welcome however these animals may not exhibit aggressive behavior.
- Aggressive or barking dogs will not be allowed to remain at the Park.
- The pet owner is solely responsible for any damage done to persons or property by the pet.
- Only pets that belong to registered RV guests are allowed on property.
- Wildlife/farm animals are not considered pets and not allowed.



FIRE SAFETY

- Fire safety is of the utmost importance at the RV Park. No campfires are allowed in the Resort. A fire extinguisher must be available in the RV.
- Allowed: LP Gas for BBQ's, fire pits (contained with screen) or heaters. When not in use, such equipment must be placed back in storage.
- Prohibited: Open flame equipment (not allowed)
- All posted signs regarding health, safety, ordinance and law must be observed and are strictly enforced.
- All public laws and ordinances shall be obeyed within the RV Park. The RV owner will notify management should it be necessary.

DAMAGES

- The Guest is responsible for all damage or destruction of property, and any injury to persons, caused by the guest or his or her family, visitor or pets.
- Brannd RV Park reserves the right to charge guests accordingly for any damage they cause to the grounds and/or Resort facilities, including but not limited to broken waterlines, damaged/missing sewer connections, cable lines, landscaping, and excessive debris (bottle caps, zip ties, cigarette butts etc).

Management is not responsible for damage, injury, or loss to either person or property. The owner/management of Blue Water Resort absolve themselves from all liability and responsibility pertaining to loss by fire, theft, weather, acts of God, property damage, accident or any other cause whatsoever, and guest agree to save, protect and hold harmless Brannd RV Park LLC. and any associates from all such liability.



Lease Agreement

This agreement, made _____ day of _____ 20____, between Brannd R.V. Park & Storage and _____ (name) ,

_____, (address) Phone# _____

Email _____ (the GUEST).

Park agrees to rent to GUEST, Site# _____. The Rental Term shall be on a ____ day-to-day basis, ____ month to month, ____ 6 month or ____ 12 month lease which may be terminated at any time by Park.

GUEST agrees to the following terms and conditions:

- a. **PAYMENT:** My rental payment is due on or before the _____ of each month in the amount of \$ _____. Late payments are subject to a **10%** penalty on the entire amount due. Payment must be made in the drop box, or mailed to this address: Brannd R.V. Park & Storage. 10756 CR 20, Fort Lupton, CO 80621
- b. **RULES:** I agree to read and comply with all rules in this agreement and the following two documents available in the resort office. It is my responsibility to secure a listing of all Rules and Regulations. RESORT may change rules at any time.
 - a. **Brannd R.V Park & Storage Rules and Regulations**
 - b. **Brannd R.V Park & Storage Pet Rules**
- c. **AUTHORIZED VEHICLES & OCCUPANTS:** Only (1)RV, (2) vehicles, and (4) occupants allowed to stay at lease site are those listed in this agreement. Any changes must be authorized by PARK.
- d. **INSURANCE:** I agree to carry my own liability and comprehensive insurance and vehicle registration during the term of this Agreement. I will furnish proof of insurance to PARK if requested.
- e. **VISITORS:** . Each visitor must register and display a pass; must park their vehicle as determined by PARK or Guest Parking; and must be in my company. Each additional visitor must be approved in advance by PARK. A visitor is not allowed to stay overnight unless authorized by PARK.
- f. **VEHICLES:** A boat, trailer, motorcycle or any other vehicle beyond two VEHICLES per site are subject to a **storage fee** and can only be stored in designated area with a signed Storage Agreement. All vehicles require proof of insurance and valid registration and must be in name of site occupant.
- g. **UTILITIES:**
 - a. **SEWER:**
Sewer hook-up is available on site. No chemicals will be used in your tank.
 - b. **WATER:** Water hookup is available at the site. During the winter months, I am responsible for keeping my water hose from the spicket to my trailer thawed. *RESORT shall be responsible only for the water line up to the spicket.*
 - c. **ELECTRICAL:** An electrical receptacle is available at the site and only responsible for power to the box.

☐ Electricity is not included in the monthly leasing fee. Electricity charges will be billed monthly at the current PUD rate.
- h. **APPEARANCE:** To help maintain a certain standard of appearance:
 - a. PARK limits vehicle age for extended stay (longer than 1 week). **Without prior approval, an RV more than 10 years old is not permitted** for extended stay.
 - b. I understand my RV must be in good condition, washed on a regular basis, and well maintained.
 - c. Before adding or changing items at my site. Nothing will be built, assembled or erected without approval from PARK.
 - d. My campsite shall remain neat and orderly at all times.
 - e. No tarps are allowed on my campsite.
 - f. Storage of material of any type under a vehicle is strictly prohibited. My site must remain free from trash, detritus, and unused items other than a patio table, chairs, BBQ grill, and awning.
 - g. RESORT reserves the right at any time to ask me to remove any item on my site or to remove or disassemble anything built or erected on my site.

RENT INCREASE: PARK agrees to supply me with written notification of any rent increase at least 15 days prior to my next payment due. Rent may be adjusted at any time if taxes or utilities increase or decrease.

- i. **RECOVERY OF UNPAID BILLS:** GUEST acknowledges that PARK is hereby given a lien upon RV and Vehicles listed in this agreement to secure all site rental fees, repairs, hardware, materials, labor or services rendered to or supplied to GUEST during the terms of this Agreement. Any item left on PARKS's property 15 days beyond the expiration of this Agreement will be offered for public sale to cover site rental charges.
- j. **DAMAGE/CLEANING DEPOSIT:** I authorize PARK to use my Damage/Cleaning deposit to repair damage caused by me or to clean my site. Any **remaining balance will be mailed to me within 10 days** after my departure date ONLY if I leave a mailing address. If I do not leave a mailing address, I forfeit any remaining balance.
- k. **PERSONAL PROPERTY:** I agree to release all interests and claims to ownership and possession to all personal property remaining on the site, or on PARKS's grounds, at 12:00 PM (noon) the day following termination of this Agreement. I agree that said left personal property shall become the property of PARK immediately and, as such, PARK, at its discretion, shall have the right to dispose of said personal property within twenty-four (24) hours.

LIABILITY: The use of PARKS's facilities is at the user's own risk. PARKS's guests are responsible for their visitors. PARK assumes no responsibility or liability for the safety and security of RV tenants/campers/visitors. PARK is not responsible for loss or damage to RV tenants' or guests' property due to theft, vandalism, fire, any casualty, or act of God. Registered guests and all other users of this property expressly assume all risk of such loss or damage and must carry their own insurance.

DISCLAIMER: PARK provides its services, including but not limited to its sites, utilities, and amenities on an "as is" basis and makes no representations or warranties of any kind, either express or implied. By staying at or using PARKS's facilities, you agree to these terms and that under no circumstances will PARK be liable for direct, indirect, incidental or any other type of damages resulting from your use of any part of the resort. This includes, but is no way limited to, loss or injury caused in whole or in part by our negligence or things beyond our control.

INDEMNIFICATION: RV tenant and/or guest shall indemnify and hold harmless PARK, its officers, and employees from all claims, liability, and expenses, including but not limited to attorney and other professional fees, for injury to persons, loss of life, or damage to property arising out of the tenant's exercise of his rights hereunder.

RESERVATION OF RIGHTS: Brann R.V. Park & Storage is private property. PARK reserves the right to amend these rules without prior notice to residents or guests. PARK, at its discretion, reserves the right to refuse entry on the resort to any person and to evict current guests without a refund. PARK also reserves the right to refuse to accommodate current and returning guests that have violated our rules and regulations and /or have vacated the resort without paying all fees.

Other Occupants Authorized To Stay At Site:

Name: _____ Age: _____ Relationship: _____ Name: _____ Age: _____ Relationship: _____
Name: _____ Age: _____ Relationship: _____

RV Authorized To Park At Site:

Make _____ Type _____ Year _____ Condition _____
Color _____ Length _____ License Plate # _____ State _____ Vehicles _____

Authorized To Park At Site:

Vehicle #1: Make _____ Model _____ Year _____ License # _____ State _____
Vehicle #2: Make _____ Model _____ Year _____ License # _____ State _____

Additional Vehicles/Boats/Trailers Authorized To Park: (\$75 fee/month)

Vehicle #1: Make _____ Model _____ Year _____ License # _____ State _____

Emergency Contacts:

Name#1: _____ Relationship: _____ Phone: _____ 2nd Phone: _____
Name#2: _____ Relationship: _____ Phone: _____ 2nd Phone: _____

I have fully informed myself of the contents of this Agreement by reading it before signing. I understand that Brann R.V. Park & Storage is NOT a Mobile Home Park. My signature represents my total compliance with the terms set forth within this Agreement.

GUEST

Date

PARK Representative

Date



Brann R.V. Storage Agreement

107 Central Ave.

Wiggins, CO 80654

(970)581-9909

THIS AGREEMENT, executed at Morgan County, Colorado, on this _____ day of _____, 20__, between _____ Brann R.V. Park & Storage, hereinafter called the OWNER, and the LESSEE/Occupant:

LESSEE/Occupant		Alternate Contact	
Name		Name	
Lot#	RORA address:	Relationship	
Mailing address		Street	
City	State ZIP	City	State Zip
Phone		Phone	Cell
Vehicle Description: ___ Motor Home ___ 5 th Wheel ___ Bumper Pull ___ Pickup Camper ___ Popup Camper ___ Boat ___ Other _____			
Make	Year	Lic Plate No.	St Length Color
This is a monthly lease for storage From ___/___/20___ To ___/___/20___		The rent is due at the beginning of storage and each succeeding term on the first day of that term until terminated by either the Owner or the Lessee in writing.	
		Late Fee: \$5 per day Returned Check Fee: \$75	
Monthly Storage Charge-term..... \$ ____		Total Due	
Other (describe) \$ ____			
No. of Months Extended for: _____			

1. PREMISES: Owner hereby leases to OCCUPANT, and OCCUPANT rents from OWNER, on the terms and conditions herein set forth, vehicle storage space, herein called "the premises". The premises shall be used solely for the purpose of storage pursuant to the terms and conditions of this agreement and for no other purpose whatsoever.

2. TERMS: The term of the agreement shall commence on the date set forth above and continue on a period to period basis as noted above, provided, however, that the term of this agreement shall be automatically extended on the same terms and conditions for similar succeeding periods at the stated rent unless and until occupant has removed his vehicle from the premises and has given written notice thereof to owner. OWNER may change Monthly Storage Charge by giving OCCUPANT a written notice at least 30 days prior to the effective date of the change. OWNER may terminate this agreement with or without cause at the end of any storage term, and OWNER may terminate this agreement for reasonable cause at any time by giving OCCUPANT written notice at least 24 hours prior to the termination date and upon refunding any unearned rental.

3. RENTAL TERMS: Although the typical rental term is monthly, the minimum is one day. All rent is payable in advance of the rental period.

4. STATEMENTS/NOTICES: It is expressly understood and agreed that the OWNER is not required to nor does send out monthly statements or reminders of rental due dates. Notification will only be given when rent is delinquent. There will be a service charge for each dishonored check and/or for each rent payment paid 10 days or more after the date is due to defray clerical and administrative expenses which ordinarily result from such delinquencies. The amount of such service and/or administrative charge is posted in the rent schedule above. Such charge is due with out prior notice as additional rent.

Notwithstanding the service charge, time is of the essence and in the event any rental is due and unpaid, the OWNER may terminate this agreement by reason of default in the payment of rent.

5. LIENS: OWNER has a lien on all vehicles stored in rented spaces as of the date the vehicle is brought to the premises, for rent, and/or other charges, present or future, reasonably incurred for its preservation, sale or disposal. If no payment has been received for thirty (30) days after the rental due date the OCCUPANT will be considered in default and access to the vehicle will be denied, the OWNER will also begin enforcement of OWNER'S lien, which includes entering the vehicle, advertising, selling and/or disposing at owners discretion. If any monthly installment is not made within the ten (10) day grace period as stated in article 4, (a) a late charge will be assessed in the amount stated above and/or (b) if any check given in payment is dishonored, a returned check charge will be assessed in the amount stated above.

The OWNER'S lien is superior to any other lien or security interest, except those which are perfected and recorded prior to date of this rental agreement in Colorado, in the name of the OCCUPANT, either in the County of the OCCUPANT'S "last known address" or in Morgan County, except any tax lien as provided by law and except those liens or security interests of whom the owner has knowledge through the occupant's written disclosure prior to this agreement.

6. AGREEMENT READ, COPY RECEIVED AND INCORPORATION OF PROVISIONS ON REVERSE SIDE: By placing his/her initials on the margin here, OCCUPANT acknowledges that he has read, is familiar with, and agrees to (a) all the terms and conditions of this agreement, and (b) the attached provisions of this agreement, and OWNER and OCCUPANT agree that all such provisions constitute a material part of this agreement and are hereby incorporated by reference, including the reviewing of all bold faced items. OCCUPANT acknowledges receipt of a true and exact copy of this agreement and of the rules and regulations of this facility.

Initials

7. INSPECTION: OCCUPANT has been afforded an opportunity to inspect the premises, and by placing his/her initials in the margin, acknowledges and agrees that the premises and the common areas are satisfactory for OCCUPANT'S purposes, including the safety and security thereof, for which OCCUPANT shall use the premises or the common areas.

Initials

Initials for Special Exceptions or Conditions as stated above: R)

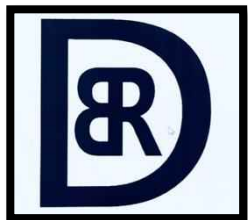
Lessee/Owner

BY _____
(Owner's authorized representative)

X _____

8. **NON-LIABILITY OF OWNER FOR DAMAGES: INSURANCE OBLIGATION OF OCCUPANT:** This agreement is made on the express condition that OWNER is to be free from all liability and claim for damages by reason of injury or damages of any kind to any person, including OCCUPANT, or property of any kind whatsoever and to whomever belonging, including OCCUPANT from any cause or causes whatsoever while in, upon, or in any way connected with the premises during the term of this agreement or any extension hereof, except injuries caused by an affirmative act of owner or owner's agent, and OCCUPANT hereby agrees to hold OWNER harmless from any liability, loss, cost (including, without limitation attorney fees) or obligation on account of arising out of any such injuries or losses however occurring, and OCCUPANT agrees that the OWNER'S liabilities for damage occasioned by it or its agent shall be limited to the sum of \$1 00. OCCUPANT agrees to maintain or secure fire, extended coverage and comprehensive liability Insurance covering the full Insurance value of goods or property stored on the premises. OCCUPANT has the right to be self insured, but assumes full risk for damage to stored property.
- Insurance carried by the OWNER shall be for the sole benefit of the OWNER. The OCCUPANT shall make no claim whatsoever against OWNER'S insurance. Therefore, OCCUPANT secures his own insurance to protect himself and his property against all perils of whatsoever nature. OWNER shall not be liable whatsoever to any extent to OCCUPANT or OCCUPANTS invitees, family, employees, agents or servants for any personal injury or property damage or loss from theft, vandalism, fire, smoke, water, hurricanes, rain, tornadoes, explosions, rodents, insects, civil disturbances, unlawful entry, acts of God or any cause whatsoever. It is specifically understood and agreed that OWNER need not be concerned with the kind, quantity, or value of personal property or other goods stored by the OCCUPANT.
9. **RELEASE OF LIABILITY:** The OCCUPANT hereby releases the OWNER from loss of or damage to OCCUPANTS personal property due to burglary, mysterious disappearance, fire, water damage, rodents and act of God. OCCUPANT agrees that property stored is at the sole risk of the OCCUPANT.
10. **JURY TRIAL WAIVER:** The OCCUPANT hereby agrees to waiver of jury trial and to have any lawsuit arising out of this agreement tried before a judge.
11. **NO BAILMENT IS CREATED HEREUNDER:** OWNER is not a warehouseman engaged in the business of storing goods for hire, and all property stored within or on the space by OCCUPANT or located at the facility by anyone is at OCCUPANT'S sole risk. OCCUPANT acknowledges that OWNER does not take care, custody, control possession or dominion over the contents in or on the space or at the facility and does not agree to provide protection for the facility, the space or the contest thereof. OCCUPANT must take whatever steps he/she deems necessary to safeguard what is at the facility or in or on the space. OCCUPANT assumes full responsibility for who has the keys and access to the vehicle.
12. **INDEMNIFICATION AND HOLD HARMLESS:** OCCUPANT agrees to indemnify, defend and hold harmless the OWNER from and against any and all claims for damaged or lost property or personal injury and costs including attorney's fees arising from occupants rent of the space or the facility or from any activity, work, or thing done, permitted or suffered by OCCUPANT in the space(s) or about the facility.
13. **WAIVER OF SUBROGATION:** OCCUPANT agrees to waive its rights and the rights of its insurance company, for any claim for loss or damages against the OWNER.
14. **COMPLIANCE WITH LAW:** OCCUPANT shall not store in the premises any items which shall be in violation of any order or requirement imposed by an Board of Health, Sanitary Department, Police Department or other government or governmental agency or in violation of any other legal requirements, or do any act or cause to be done any act which creates or may create a nuisance and/or hazard.
15. **USE AND ALTERATIONS:** OCCUPANT shall not make or allow any alterations to the premises. The premises shall be used for storage purposes only as to those approved by OWNER, such as Motor Homes, Travel Trailers, Recreational Vehicles and Boats owned by the OCCUPANT, and for no other use. The OCCUPANT agrees to comply with the rules and regulations of the OWNER, and further agrees that the OWNER shall have the continuing right to amend such rules and regulations from time to time as the OWNER in his sole discretion shall deem proper and the OCCUPANT agrees to comply with such amendments within a reasonable time following notification of such amendments. The OCCUPANT acknowledges that he has read the rules and regulations that maybe attached hereto.
16. **WASTE, QUIET CONDUCT, MAINTENANCE:** OCCUPANT shall not commit, or allow to be committed, any waste upon the premises (a waste disposal facility is available for a separate fee). The OCCUPANT shall use the premises for any business or purpose in any manner deemed by the owner to be disreputable or hazardous. The storage of flammable, explosive or other inherently dangerous-material is prohibited. OCCUPANT shall take good care of the premises, necessitated or occasioned by the act or neglect of OCCUPANT or any agent of the OCCUPANT or other person for whose acts OCCUPANT is responsible.
- OCCUPANT shall not cause or permit any hazardous substance or any highly corrosive, toxic, or pollutant type materials to be stored, used, generated, or disposed of on or in the premises by OCCUPANT, OCCUPANTS AGENTS, EMPLOYEES or INVITEES. If hazardous substances are stored, used, generated, or disposed of on or in the premises, or if the premises become contaminated in any manner for which the OCCUPANT is legally liable, OCCUPANT shall indemnify and hold harmless the owner from any and all claims, damages, fines judgments, penalties, costs, liabilities, or losses, and any and all sums paid for settlement of claims, attorney's fees, consultant and expert fees, arising during or after the lease term and arising as a result of that contamination by OCCUPANT. Without limitations of the foregoing, if OCCUPANT cause or permits the presence of any hazardous substance on the premises and that results in contamination, OCCUPANT shall promptly, at its sole expense, take any and all necessary actions to return the premises to the condition existing prior to the presence of such hazardous substance on the premises
17. **KEYS:** It is recommended the OCCUPANT provide, at OCCUPANTS own expense, a duplicate key to allow OWNER, or OWNER'S AGENTS access In the event of emergency. Should any governmental authority so require, the OCCUPANT will provide OWNER with a key to all locks at all times. If OCCUPANT changes locks or fails to provide OWNER the correct key, OWNER has the right, as they deem necessary, to remove such lock by cutting or any other means. OWNER shall not be held liable for replacement of any lock that is damaged by forced entry by the OWNER or any authorized governmental agency.
18. **ABANDONMENT OF OCCUPANT'S PROPERTY:** Any property which shall remain on the premises after the expiration or termination of this agreement shall be deemed to have been abandoned and that the same has no monetary value, and such property may be retained by OWNER as its property or dispose of in such manner as OWNER may see fit If such property or any part thereof shall be sold, OWNER may receive and retain the proceeds of such sale and apply the same, at its option, against the expense of the sale, the cost of moving and storage, and any arrears of rent or additional rent payable hereunder and any damages to which OWNER may be entitled.
19. **OWNER'S RIGHT OF ENTRY; SALE OF CONTENTS:** The Colorado Self-Service Storage Facility Act gives the OWNER a lien upon all personal property, whether or not owned by the OCCUPANT, located at the self-storage facility for rent, labor or other charges. In case any rent shall be due and unpaid, or OCCUPANT shall default in any of the covenants including but not limited to anyone or more of the following: a) terminate this rental agreement b) affix OWNER'S lock to the door of the OCCUPANT'S premises; c) seize and take possession of the unit and any personal property therein, after written notice to OCCUPANT, if rent and expenses of OWNER are not paid; d) sell the property at a public or private sale, for payment of the rent and expenses related to said action, and hold any remaining proceeds on behalf of OCCUPANT; and/or e) exercise any other right of OWNER under the Colorado Self-Service Storage Facility Act or any other law of the State of Colorado. OWNER'S expenses shall include all expenses relating to taking possession and sale of the property, including reasonable attorney's fees. Any notice given pursuant to this section shall be presumed delivered when deposited with the United States Postal Service, certified mail addressed to the last known address of the OCCUPANT. Advertisement of a sale, if utilized, shall be once a week for two (2) consecutive weeks in a newspaper of general circulation in the County where the facility is located. Any sale may be before or after the contents of the unit is opened, at the election of the OWNER, and OWNER shall not have any responsibility for determining the contents of the unit or the valued of such contents. Occupant acknowledges that a sale of the contents on a bid basis where the bidders have not seen the contents of the unit is a fair and equitable disposition of the contents of the unit under this article. Occupant agrees that owner and owner's agents and other

- representatives shall have the right to enter into and upon the unit, or any part thereof, at all reasonable hours for the purpose of examining the contents of the unit, or making such repairs or alterations to the premises as necessary. Owner shall promptly notify occupant by certified mail, either before or after entry, so that occupant may appear at the self-storage facility office and inspect the unit.
20. **NO WARRANTIES:** OWNER hereby disclaims any implied or express warranties, guarantees or representations of the nature, condition, safety or security of the premises and OCCUPANT hereby acknowledges, as proved in article 7 on the attached, the OCCUPANT has inspected the premises and hereby acknowledges and agrees that OWNER does not represent or guarantee the safety or security of the premises or of any property stored therein. This agreement sets forth the entire agreement of the parties with respect to the subject matter hereof and supersedes all prior agreement of understandings with respect thereto. No representative of OWNER is authorized to make any representations or warranties except as expressly set forth herein.
21. **ACCEPTANCE OF PAYMENT OF RENT:** In the event of a default by the OCCUPANT, OCCUPANT agrees that (a) the tender Of the rental by OCCUPANT and the acceptances thereof by OWNER, if not the full amount due, or (b) the allowing of OCCUPANT to remove his personal property from the premises, after the delivery of a preliminary lien notice pursuant to applicable Colorado State Statutes or during the pendency of an unlawful detainer action, shall not constitute a waiver of the preliminary lien notice, the notice of termination nor shall it reinstate the terms and provision of the Rental Agreement.
22. **ASSIGNMENT:** OCCUPANT shall not assign or sublease the premises or any portion thereof. Any attempt to assign or sublease shall be void.
23. **WAIVER:** The waiver by either party of any breach of any term, covenants or condition herein contained shall not be deemed to be a waiver of such term, covenant or condition upon any subsequent breach of the same term, covenant or condition. Any subsequent acceptance of performance shall not be deemed to be waiver of any preceding breach of any term, covenant or condition of this agreement, other than the failure to perform the particular duties subsequently accepted, regardless of knowledge of such preceding breach at the time of acceptance of such performance.
24. **ATTORNEY'S FEES AND COSTS:** In the event any action be instituted, or other proceedings taken to enforce any covenant herein contained or to recover any rent due or to recover possession of the premises for any default or breach of this agreement of OCCUPANT, OCCUPANT shall pay owner's reasonable attorneys' fees, costs and expenses.
25. **SUCCESSORS:** All the provisions shall apply to the heirs, executors, representatives, successors and assigns of the OCCUPANT and of the OWNER.
26. **NUMBER AND GENDER:** Wherever the context of this agreement appears to require it, the singular number shall include the plural, and vice versa, and the masculine gender shall include the feminine and/or neuter genders, and vice versa.
27. **CONSTRUCTION:** This agreement has been reviewed and negotiated and its terms and provisions explained to OCCUPANT. Accordingly, this agreement shall not be construed for or against either OWNER or OCCUPANT.
28. **SEVERABILITY:** In the event that any of the provisions of portions thereof of this storage agreement are held to be unenforceable, invalid, void or illegal, by any Court of competent jurisdiction, the validity, legality and enforceability of the remaining provisions or portions hereof shall not be affected or impaired thereby.
29. **NOTICES:** OCCUPANT agrees to give prompt written notice to owner of any change in OCCUPANT'S address. Said written notice shall be mailed to:
a. Ranch of the Rockies Association, 492 Ranch Rd, Hartsel, Colorado 80449.
30. **ELECTRICITY:** In the event there is an electrical outlet with the leased or rented space, the OCCUPANT is cautioned that the power to the electrical circuit may be Turned on or off at the option of the OWNER. Accordingly, the OCCUPANT is required to turn off all lights and disconnect any powered appliance before leaving the rented space. If continuous and/or intermittent electric service is desired and is available, special arrangements must be made with the manager for its use. If such an arrangement is made, the OWNER assumes no liability resulting from the failure, regardless of the source of failure of the power supply.
31. **VALUE LIMIT:** OCCUPANT agrees not to store property with a total value in excess of \$500,000.00 without prior written consent of OWNER, which consent may be withheld in OWNER'S sole discretion and, if such written consent is not obtained, the total value of OCCUPANTS property shall be deemed not to exceed \$500,000.00. OCCUPANT further agrees that the maximum liability of OWNER to OCCUPANT for any claim or suit by OCCUPANT, including but not limited to any suit which alleges wrongful or improper foreclosure or sale of the contents of a stored unit, is \$5000.00. Nothing in this section shall be deemed to create any liability on the part of the OWNER to OCCUPANT for any loss or damage to OCCUPANT'S property, regardless of cause.
32. **EMOTIONAL LOSS:** OCCUPANT agrees not to store collectibles; heirlooms, jewelry, works of art or any property having special or sentimental value to OCCUPANT. Nothing herein shall constitute any agreement or admission by the OWNER that OCCUPANT stored property has any value. OWNER shall not be liable for any loss occasioned by or resulting from emotional distress.



Brannnd R.V Park & Storage

107 Central Ave. Wiggins, CO 80654

970-581-9909

The undersigned acknowledges that they have read and received a copy of Brannnd R.V. Park & Storage rules and regulations.

The undersigned also agrees to display an issued parking permit on each vehicle parked on Brannnd property and will be subject to being towed at vehicle owners' expense if not displayed.

When entering or exiting the park DO NOT allow vehicles to enter by following you. Each vehicle must enter using issued pin code or remote. This will help keep the park secure and safe for all guests.

Gate remotes: # _____

Vehicle Parking Permits: # _____

Guest Parking Permits: # _____

I acknowledge that I have received the above items and understand that all remotes and permits will be returned in good working condition.

Signature

Date

Print Name



STAFF REPORT

Planning and Zoning Commission
September 13, 2022

DATE: September 8, 2022

AGENDA ITEM NUMBER: II-4

TOPIC: Public Hearing and Consideration of a Special Review Use RV/Boat Storage and RV Campground

STAFF MEMBER RESPONSIBLE: Hope Becker, Planning & Zoning Administrator

BACKGROUND:

Brady Powers and Robin Sewing have submitted a Special Review Use application for development of a RV/Camper/Boat storage and RV Park (campground) located in the Walton and Thomas Minor Subdivisions. The applicants have seen a need in the community for secure facilities to store recreational vehicles and for short term stays in a campground due to job related moves or families visiting.



The applicants currently own the Walton and Thomas Minor subdivisions which consists of buildings along Central Avenue that were previously known as Allstate Fire and vacant land located along North Main Street across from the Town sewer plant. The applicants goal is

to clean up the entire area of all trash, junk, and debris within the buildings and surrounding areas with the desire to develop the lot into multiple forms of storage and potentially a well manicured RV Park.

One part of the Special Review Use application is for the area highlighted in blue that would be a fenced in area dedicated to recreational vehicle / boat storage. The lot will be surfaced with crushed gravel or asphalt with numbered lots. This area will be fenced in and will require a code key entry. Security cameras will be posted in several areas of the lot to ensure the safety of items that are stored. In addition, REA light poles will be installed if they are not already present, to provide adequate lighting for parking and security needs.

The larger section highlighted in green is the area that the applicants would like to develop into a RV Park area. Similarly to the storage areas, the RV Park will be surfaced with crushed gravel or asphalt with each space marked with a visible number. Mr. Powers and Ms. Sewing intend to develop the area with additional water wise landscaping and each lot will be equipped with direct access to



PICTURE B



water and sewer. Picture A is an example picture of how nice the proposed development will be. The applicants take a lot of pride in their projects and decline campground applicants that do not meet the minimum requirements of their application process. The campground application process includes a background check, driver's license, proof of employment, and a lease agreement if they are approved. The

campground is also by reservation only. Tenants may view the requirements on the Brandd website prior to applying for a camping spot. The owners will not allow tenants to build on to the campers or create additional storage beyond what the owners have provided to each lot. Picture B demonstrates an example of what the owners will not allow. In addition, the RV Park has strict rules to prevent noisy atmospheres, too many vehicles, pet regulations, rules on trash, and too many people.

The applicants desire to be as transparent as possible with the Planning and Zoning Commission. Attached are examples of the Brandd Policies and Regulations, Lease Agreement, and a document that the applicant signs regarding what their key numbers are and permit numbers are.

SUMMARY

COMPREHENSIVE PLAN:

It is predominantly used for guidance for Boards and Staff with land uses. It does state an objective of the Town should be to "maintain or improve the current level of services." (page IV-19) Although an RV Park service will not bring in additional sale tax revenue to the Town, it will provide a much-needed service to the community members of Wiggins by providing a place for visitors to be close to family with the absence of a close hotel. It also provides an option for folks who need temporary housing in our area due to work transfers.

LAND DEVELOPMENT CODE (LDC):

Zoning – Walton and Thomas Minor Subdivision is zoned Commercial District.

Section 1.14 - Basic Definitions

Campground – "Any plot of improved property utilized for camping and parking of camping units as herein defined for a period not to exceed 30 days."

Camping Unit or Recreational Vehicle (RV) - "A wheeled vehicle intended to provide temporary living accommodations. It is either self-propelled, hauled, or towed by a non-commercial vehicle. Included are units commonly referred to as travel-trailers, camper trailers, trailer coaches, motor homes, and pickup campers. It is not a mobile home.

Section 2.10 .C – Campgrounds and recreational vehicle (RV) parks are allowed with a special review use.

Section 2.10.C.1 – Special Review uses allowed in the Business District in Section 3.7.4 with exception of multi-family and single-family dwellings are allowed.

- A. Section 2.09.C.16 (Business District Special Review) allows “recreational vehicle storage yards” by special review.

Section 3.02 Commercial and Industrial Use Performance Standards

The Walton and Thomas Minor Subdivisions are located in the Commercial District Zone; therefore, the Planning and Zoning Commission need to take into consideration if the proposed development will cause an increase in glare and heat, vibration, lights, smoke, odors, noise, and fugitive dust. The applicants intend to improve the subdivision with a crushed asphalt or crushed concrete that will prevent dirt from arising, and prevention of erosion. The policy and regulations will keep tenants from having late night festivities and extreme lights. Although each site may have a fire pit, the RV Park would be under the same fire prevention and restrictions as any other local resident when enjoying a fire pit or grilling dinner.

The Walton and Thomas Minor Subdivisions are also located on the edge of Town limits. Interstate 76 is directly north of the property, the Town’s sewer plant is directly west of the property, and open space to the east of the property. There is a small residential subdivision to the southwest of the subdivision and a couple of businesses to the south. The RV Park would be substantially removed from most residences and businesses.

Section 3.06.B – Off street parking Requirements

The LDC does not specifically address off street parking requirements for RV Campgrounds or Parks. This type of development does not typically have permanent structures which negates the need to calculate a number of spaces with the square footage of a building. However, Mr. Powers and Ms. Sewing have stated that each RV space will have the ability to house a maximum of two vehicles each site.

Appendix 11 – Sign Permit Submission Requirements and Standards

Brandd RV Park would place signage along North Main Street and possible one sign on Central Avenue. They would be required to follow the requirements and standards for signage as stated in the LDC.

STAFF ANALYSIS

Both minor subdivisions are zoned Commercial District. Campgrounds and Recreational Vehicle Parks are allowed in the Commercial District with a Special Review. Recreational Vehicle Storage Yards is listed as a Special Review Use in the Business District. The LDC indicates that Special Review uses allowed in the Business District may also be used in the Commercial District as a Special Review Use. The applicants are requesting Special Review Use recommendations for both a RV Park and a RV/Boat Storage Yard.

During the review process Staff became aware of community concerns surrounding the applicants' request. Those concerns were relayed to the applicant and they have provided information to help address those concerns, such as regulations, policies and requiring agreements. Although the applicant has solid regulations, policies, and lease agreements in place, there are no guarantees that the next potential owner would treat the subdivision and improvements with the same respect. Staff recommends that the Planning and Commission consider including conditions in the resolution to help the Town safeguard future events that cannot be anticipated at the present time.

The applicant would be required to have their policies and regulations (as provided in this packet or substantially same form) in place at all times. For the time being, there will not be a property manager at the location. However, the owners are available by phone call 24/7 and there will be security cameras and lighting throughout the RV Park. The extra regulations and policies will help ensure that the park remains a safe and quiet environment for all tenants and surrounding property owners.

The RV Park (campground) will comply with the LDC's current maximum stay definition of 30 days unless the LDC is amended or revised at a future date. There is not a definition of "RV Park" in the LDC but there is a definition of campground. At this time, Staff must follow what the LDC's closest definition is, which is "campground". Staff offers the suggestion that the Planning and Zoning Commission open a conversation to the possibility of amending the LDC in the near future to update the definitions, policies, and guidelines for the use of tiny homes and RV Parks with the Town of Wiggins.

RV Parks are a growing trend in many communities. They are typically less permanent than a mobile home park and stays are typically longer than a campground vacation or leisure stay. Many newer RVs are also more equipped to accommodate yearlong living.

Although the LDC does not offer a definition of "Recreational Vehicle (RV) Park", there are a number of definitions from other sources, such as www.lawinsider.com and other municipalities that define "RV Park" that can be considered for thought.

- *means a facility for the temporary sitting or recreational vehicles and may have community facilities as recreations rooms, swimming pools, and laundry facilities (www.lawinsider.com); or*
- *means a parcel of land upon which two or more recreational vehicles are occupied for dwelling or sleeping purposes for no more than 60 days during any one hundred twenty-day period, recreational vehicles are located, regardless of whether a charge is made for such accommodations (www.lawinsider.com); or*
- *Recreational vehicle park" means a lot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicle of the general public as temporary living quarters for recreation or vacation purposes.*

The applicants will be required to install electrical, potable water, and sanitary hookups at each of the recreational vehicle sites. This would ensure that the RV Park would help maintain a health safe and noise free environment.

Approval of this special review use will only apply to this applicant. It will not transfer to future owners, who desire to continue with the RV Park use, without another review by the Planning and Zoning Commission and approval by the Board of Trustees. Changing ownership does not ensure that the same regulations and policies will be followed. This resolution condition would ensure that future ownership would allow the Commissioners and the Board of Trustees to review new policies and regulations to ensure that the RV Park would remain in good standing.

The approved special review use will be recorded with the Morgan County Clerk and Recorder. There is no system in place that allows Town Staff to keep track of all property owners. Theoretically, the approval of this Special Review Use would follow a land title search with the county office records. In addition, the owners of the RV Park will be required to apply for a Business License which will also help staff keep track of ownership changes. The applicants will also be required to apply for a Town of Wiggins Business License.

STAFF RECOMMENDATION

The proposed RV/Camper Storage and the RV Park comply with all applicable state and local requirements. Both developments are a need that this community could benefit from. Staff recommends approval of the proposed RV/Camper Storage and the RV Park and offers the following motion to the Planning and Zoning Commission:

I MAKE THE MOTION TO ADOPT P&Z RESOLUTION 08-2022: A RESOLUTION RECOMMENDING APPROVAL OF A SPECIAL REVIEW USE FOR BRANDD RV PARK FOR A RV/BOAT STORAGE AND RV PARK (CAMPGROUND) LOCATED IN THE WALTON AND THOMAS MINOR SUBDIVISIONS

1. Applicant shall adopt and enforce rules and regulations for the campground substantially in the same form as those included with the application.
2. Stays in the RV Park (campground) shall not exceed the time limits for campground stays as set forth in the Wiggins Land Development Code, as amended from time to time. Currently, the maximum stay is 30 days.
3. Electrical, potable water, and sanitary hookups will be permanently installed at each designated recreational vehicle site.
4. This special review use is personal to Brandd RV Park and may not be transferred without the consent of the Board of Trustees. If a transfer is granted, the Board of Trustees may impose such additional terms and conditions as may be required to meet the criteria for special review uses set forth by the Wiggins Land Development Code.

5. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.
6. The applicants will be required to apply for a Town of Wiggins Business License.

ACTION REQUESTED:

Motion, Second, Roll-Call Vote.

(Resolutions require affirmative votes from the majority of Commission Members present.)

Enclosed Attachments:

- Application
- Site Plan
- Example of Brandd Lease Agreements
- Example of Brandd Tenant Information Sheet
- Brandd RV Rules and Regulations

**TOWN OF WIGGINS
P&Z RESOLUTION NO. 08-2022**

**A RESOLUTION RECOMMENDING APPROVAL OF A SPECIAL REVIEW USE FOR BRANDD RV
PARK FOR A RV/BOAT STORAGE AND RV PARK (CAMPGROUND) LOCATED IN THE WALTON
AND THOMAS MINOR SUBDIVISIONS**

WHEREAS, there has been submitted to the Planning and Zoning Commission of the Town of Wiggins an application for a RV/Boat Storage and RV Park (Campground) in the Walton and Thomas Minor Subdivisions; and,

WHEREAS, the Planning Commission has reviewed the criteria for special review uses set forth in the Town's Land Development Code, and finds that with conditions:

- a. The proposed use is in harmony and compatible with the character of the surrounding neighborhood;
- b. The proposed use is consistent with the Town's comprehensive plan;
- c. The proposed will not have a material adverse effect on Town capital improvement programs;
- d. The proposed use will not result in an over-intensive use of the land;
- e. The proposed use will not result in undue traffic congestion or hazards;
- f. The proposed use will not cause significant air, water or noise pollution;
- g. The proposed use will not require a level of community facilities and services greater than that available; and
- h. The proposed use shall not be detrimental to the health, safety or welfare of current or future inhabitants of the Town; and

WHEREAS, all materials related to this application have been reviewed by Town Staff and found to be in compliance with the Town of Wiggins subdivision and zoning ordinance, and related Town ordinances, regulations, and policies; and

WHEREAS, after a duly-noticed public hearing, at which evidence and testimony were entered into the record, the Wiggins Planning and Zoning Commission finds that the proposed special review use should be approved subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF WIGGINS, COLORADO, AS FOLLOWS:

Section 1. The Planning and Zoning Commission hereby recommends approval for a special review use for Brandd RV Park for a RV/Boat storage and RV Park (campground) in the Walton and Thomas Minor Subdivisions, subject to the following conditions:

1. Applicant shall adopt and enforce rules and regulations for the campground substantially in the same form as those included with the application.
2. Stays in the RV Park (campground) shall not exceed the time limits for campground stays as set forth in the Wiggins Land Development Code, as amended from time to time. Currently, the maximum stay is 30 days.
3. Electrical, potable water, and sanitary hookups will be permanently installed at each designated recreational vehicle site.
4. This special review use is personal to Brandd RV Park and may not be transferred without the consent of the Board of Trustees. If a transfer is granted, the Board of Trustees may impose such additional terms and conditions as may be required to meet the criteria for special review uses set forth by the Wiggins Land Development Code.
5. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.
6. The applicants will be required to apply for a Town of Wiggins Business License.

INTRODUCED, RECOMMENDED, AND RESOLVED THIS 13TH DAY OF SEPTEMBER, 2022.

TOWN OF WIGGINS, COLORADO


Stan Baumgartner, Vice-Chairman

ATTEST:



Deborah Lee, Town Clerk





MINUTES OF MEETING

TOWN OF WIGGINS PLANNING AND ZONING COMMISSION September 13, 2022 at 7:00 p.m.

CALL TO ORDER & ROLL CALL

A regular meeting of the Planning and Zoning Commission for the Town of Wiggins, Colorado was held on Tuesday, September 13, 2022 in person. The meeting was called to order at 7:11 p.m. by Commissioner Stan Baumgartner. The following Commissioners answered roll call: Commissioner Stan Baumgartner, Jerry Avey, Dan Ronning and Jim Musgrave. Chairman Jeff Palmer was absent. Staff present was Tom Acre, Town Manager; Planning and Zoning Administrator, Hope Becker and Deborah Lee, Town Clerk.

Hope Becker introduced the newly appointed Commissioner Dan Ronning.

APPROVAL OF AGENDA

Motion was made by Commissioner Jim Musgrave to approve the agenda as written with the amendment of adding an agenda item to appoint a Vice Chairman. Second was made by Stan Baumgartner. Roll Call: Unanimously approved.

APPOINTMENT OF PLANNING AND ZONING VICE-CHAIRPERSON

Hope explained that in the case of the Chairperson being absent that there is a need for a Vice-Chairperson.

Hope further explained to the Commissioners that although the Board of Trustees appointed each of them to the Board, the Planning and Zoning Commission needed to vote who their vice-chairperson would be.

Motion was made by Commissioner Jim Musgrave to appoint Commissioner Stan Baumgartner as the Vice-Chairperson. Second was made by Commissioner Dan Ronning. Roll Call: Unanimously approved.

APPROVAL OF MINUTES FROM JULY 12, 2022

Motion was made by Commissioner Jim Musgrave to approve the minutes from July 12, 2022. Second was made by Commissioner Dan Ronning. Roll Call: Unanimously approved.

PUBLIC HEARINGS:

1. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR SUMMIT BAPTIST CHURCH

The Public Hearing was opened at 7:18 pm by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator, Hope Becker provided the staff report and information to the Commissioners regarding the application for the Summit Baptist Church Special Review application. The applicant would like to establish an early childhood development center. This will be for children from 12 months to five years of age.

Pastor Jeff Paschal, the applicant and representative for Summit Baptist Church, attended the meeting in person. He stated that the Church was working with the Wiggins Preschool to ensure they will be following the same curriculum. The hours for the center will be from 7 a.m. to 5:30 p.m. There will be a charge to cover salaries. The State of Colorado offers help for disadvantaged children through childcare programs. They will also have a security system and keys to provide secure limited access. The Director will monitor the cameras during the day.

The Public Comment was opened at 7:34 pm. Susan Turner stated she lives directly behind the church. She questioned what the parking plans were for further expansion of the center and how it would affect the streets around the church. Pastor Paschal stated that the traffic flow for parents will be done within their own parking lot and shouldn't affect traffic on the street. The State of Colorado current maximum number of kids allowed will be 30. The Public Comment section of the hearing was closed at 7:36pm.

The Public Hearing closed at 7:37 p.m.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 05-2022: A Resolution Recommending Approval of a Special Use Review for Summit Baptist Church to Establish an Early Childhood Development Center at 401 Second Avenue.

Motion was made by Commissioner Dan Ronning to adopt P&Z Resolution 05-2022 – A Resolution Recommending Approval of a Special Use Review for Summit Baptist Church to Establish an Early Childhood Development Center at 401 Second Ave. Seconded by Commissioner Jim Musgrave. Roll Call: Unanimously approved.

2. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR OUR LADY OF LOURDES CATHOLIC CHURCH

The Public Hearing was opened at 7:40 pm by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator, Hope Becker, provided her staff report and information to the Commissioners regarding the application for Our Lady of Lourdes Catholic Church's review. The applicant desires to construct a parish hall located at 502 Main Street. Staff suggests additional conditions to the approved resolution that:

- construction hours are from 7 a.m. to 7 p.m.; there be a landscape or fence separation screening the parking lot from the residents on 5th Avenue;
- landscape divisions between parking spaces if there are more than 12 parking spaces in a contiguous row;
- church includes an engineer's report of the new sidewalk along Main Street and an agreement with the Town for the construction of the sidewalk when the Town completes the Main Street project;
- the church will comply with ADA parking requirements that will be reviewed at the time of building permit application;
- the use of additional buildings, construction trailers, or conex boxes must be pre-approved by the Town prior to placement;
- the special review will be recorded with the Morgan County Clerk and Recorder's office.

David Wurzbach, from the Archdiocese, represented Our Lady of Lourdes Catholic Church, attended the meeting through Zoom. He said he was available for any questions.

The Public Comment was opened at 7:59 p.m. There were no public comments. The Public Comment section of the hearing was closed at 7:59 p.m.

The Public Hearing closed at 8:00 p.m.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 06-2022: A Resolution Recommending Approval of a Special Use Review for Our Lady of Lourdes Catholic Church for the construction of a fellowship hall located at 502 Main Street.

Motion was made by Commissioner Dan Ronning to adopt P&Z Resolution 06-2022 – A Resolution Recommending Approval of a Special Use for Our Lady of Lourdes Catholic Church for the construction of a parish hall located at 502 Main Street. Seconded by Commissioner Jerry Avey. Roll Call: Unanimously approved.

3. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR THE WIGGINS RURAL FIRE DISTRICT

The Public Hearing was opened at 8:05 p.m. by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator Hope Becker provided the staff report and information to the Commissioners regarding the application for the Wiggins Rural Fire District review. The applicant would like to place a conex box located at 701 W Central Avenue. The conex box will be placed at an appropriate distance from the rear of the existing fire station. This distance will be determined and approved at the time of building permit application. The conex box will be used for the purpose of storing chairs, tables, and other items the fire station use for community events and fire station functions.

Nathan Troudt represented the Wiggins Rural Fire District application. He confirmed the information Hope provided in the staff report and stated he was available for further questions from the Commissioners.

The Public Comment was opened at 8:11 p.m. There were no public comments. The Public Comment section of the hearing was closed at 8:11 p.m.

The Public Hearing closed at 8:12 p.m.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 07-2022: A Resolution Recommending Approval of a Special Use Review for the Wiggins Rural Fire District for the use of a Conex Box at 701 Central Avenue with Conditions.

Motion was made by Commissioner Jerry Avey to adopt P&Z Resolution 06-2022 – A Resolution Recommending Approval of a Special Use Review for the Wiggins Rural Fire District for the use of a Conex Box at 701 Central Avenue with Conditions. Seconded by Commissioner Jim Musgrave. Roll Call: Unanimously approved.

4. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR BRADY POWERS & ROBIN SEWING

The Public Hearing was opened at 8:15 p.m. by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator, Hope Becker, provided the staff report and information to the Commissioners regarding the application for Brady Powers and Robin Sewing for the development of RV/boat storage and development of a RV Park. The development would take place within the Walton and Thomas Minor Subdivisions located across from the Town sewer plant on CR 4. Hope provided the details of the development locations as well as well as conditions that are suggested with the approval of the Commissioner recommendation to the Board of Trustees.

Brady Powers and Robin Sewing (applicants) were present for testimony and questions from the Commissioners. Confirmed details provided by Hope in her staff report. They also provided additional details of how they would like to develop the area and what types of rules would be enforced. Pictures on the screen to the public and the commissioners were provided to show examples of how the intend the RV park to look and what types of trailers and development would not be allowed.

The Public Comment was opened at 8:55 p.m.

- Debra Irwin, 214 Agate Street - Asked how the new development would affect the water pressure on the north side of town. She currently has to work efficiently with her neighbors on a strict watering schedule just to get adequate water pressure to water the lawn. Tom Acre, Town Manager, provided responses that he could not promise anything in the meeting but committed to looking into what the Town could do in the near future for water line corrections on the north side of Town.
- Glen Neal, 105 Central Avenue – Glen stated he has a good relationship with the owners and commended the applicants for all the great clean up work they have already accomplished in all of the buildings and the surrounding property. As owner of Gateway Realty, Glen voiced concerns regarding the water pressure issues, drug trafficking, sex trafficking potential due to RV Parks. He also stated he didn't want RV Park access to be from Central Avenue. He feels that there is not enough space for trailer/truck traffic. Commissioner Musgrave responded to using Central Avenue as an access point would require CDOT permits. A conversation commenced between Robin, Hope and the Commissioners that the Central Avenue sign would be used only as signage. Entrances to the RV Park and Storage area would be off of Main Street.

There were no public comments from the zoom audience. The Public Comment section of the hearing was closed at 9:20 p.m.

The Public Hearing closed at 9:21 p.m.

The Commissioners deliberated with additional questions and concerns. Commissioner Avey voiced concerned regarding the water pressure concerns. Commissioner Avey asked if there was a way to make an additional condition to the resolution that the water pressure would have to be fixed. Tom Acre, Town Manager, responded to the concerns stating that he would talk to the appropriate engineers and get a read from them if water pressure concerns could be repaired. The repairs to water pressure would not be part of the special review resolution. Hope confirmed that the Commissioners approval is a recommendation that the use is in compliance to the Land Development Code and in the best interest of the Town to the Board of Trustees to approve the final resolution.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 07-2022: A Resolution Recommending Approval of a Special Use Review for Brandd Rv Park for a RV/Boat Storage and RV Park (Campground) Located in the Walton and Thomas Minor Subdivisions with conditions.

Motion was made by Commissioner Jim Musgrave to adopt P&Z Resolution 08-2022 – A Resolution Recommending Approval of a Special Use Review for Brandd Rv Park for a RV/Boat Storage and RV Park (Campground) Located in the Walton and Thomas Minor Subdivisions with conditions. Seconded by Commissioner Jerry Avey. Roll Call: Unanimously approved.

ADJOURNMENT

Hope Becker announced to the Commissioners that the Request for Proposals for the new Comprehensive Plan and Three Mile Plan responses were received by staff. Staff is currently analyzing the proposals to determine the top 3-4 candidates to interview and narrow down to one for presentation to the Board of Trustees. Hope also announced that the Town has received a \$6,500 grant from SIPA to assist the town with its codification of Town ordinances. So that project will be going underway. The codification of ordinances will simplify community members' abilities to look up various rules and regulations that have been passed through the Board of Trustees since the Town's incorporation in 1974.

Vice-Chairman Stan Baumgartner, upon receiving no further comments or concerns from the Commissioners, adjourned the meeting at 9:30 pm.

Respectfully submitted:



Deborah Lee, Town Clerk



STAFF SUMMARY

Board of Trustees Meeting September 28, 2022

DATE: September 22, 2022

AGENDA ITEM NUMBER: 6

TOPIC: Public Hearing and Consideration of a Special Review Use for Our Lady of Lourdes Catholic Church

STAFF MEMBER RESPONSIBLE: Hope Becker, Planning & Zoning Administrator

BACKGROUND:

Our Lady of Lourdes has submitted a Special Review Use Application to the Planning and Zoning Commission requesting to construct a parish hall located at 502 Main Street. In conversation with the applicant, the parish hall will provide an additional space for church functions, gatherings, and community fellowship. 502 Main Street is currently a vacant lot located to the north of the current Catholic church.

SUMMARY:

502 Main Street is located in the R1-Single Family District with Community Centers listed as a use by special review. The Catholic Church would be required to apply for a building permit prior to the beginning of constructions. Many of the parking, landscaping, grading, Land Development Code (LDC), and building requirements will be addressed prior the issuance of a building permit.

The application was presented at a public hearing before the Planning and Zoning Commission on September 13, 2022. The Planning and Zoning Commission approved a resolution recommending approval of the Special Review Use to the Board of Trustees with conditions as follows:

1. Construction hours are from 7 am – 7 pm.
2. Off-street parking areas with six (6) or more spaces shall be adequately screened from any adjoining residentially zoned lot by landscaping or solid fencing.

3. No more than 12 parking spaces shall be permitted in a contiguous row without being interrupted by a landscaped area of at least six feet (6') wide and 16 feet long, or unless otherwise stated in the design policies of the Town.
4. Off-street parking areas must meet the minimum Land Development Code and ADA requirements based on the occupancy load of the primary building and the square footage of the new building as determined with a parking plan at the time of building permit application submission.
5. Our Lady of Lourdes will include the engineered sidewalk plans with their site plan at the time of building permit and work with the town for the installation of the sidewalk in conjunction with the Main Street project at Our Lady of Lordes' expense.
6. Additional buildings, construction trailers, or conex boxes must be approved by the Town prior to placement.
7. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.

All documents were presented at the Planning and Zoning Commission hearing and the minutes of the Planning and Zoning Commission meeting are included in this packet for review by the Board of Trustees.

FISCAL IMPACT:

Approving this Resolution has no negative impact on the Town's adopted budget.

APPLICABILITY TO TOWN OBJECTIVES AND GOALS TO PROVIDE SERVICES:

Consideration of the Special Review Use for construction of the parish hall supports the Town's desire to assist community organizations in their efforts to fostering community connections.

OPTIONS AVAILABLE TO THE BOARD OF TRUSTEES

The Board of Trustees may approve the Special Review Use, deny the Special Review Use, or approve the Special Review with additional/modified conditions. Alternatively, if the Board of Trustees needs additional information or time to make its decision, it can continue the hearing until the Board's next meeting. If you wish to continue the hearing, here is a proposed motion: "I move to continue this public hearing to the Town Board meeting on October 26, 2022 at 7 pm."

MOTION FOR APPROVAL:

I make the motion to adopt Resolution 32-2022: A Resolution Approving a Special Review Use for Our Lady of Lourdes Catholic Church for the Construction of a Parish Hall Located at 502 Main Street.

ACTION REQUESTED:

Motion, Second, Roll-Call Vote.

(Resolutions require affirmative votes from the majority of Trustees present.)

**TOWN OF WIGGINS
RESOLUTION NO. 32-2022**

**A RESOLUTION APPROVING A SPECIAL REVIEW USE FOR OUR LADY OF LOURDES CATHOLIC
CHURCH FOR THE CONSTRUCTION OF A PARISH HALL LOCATED AT 502 MAIN STREET**

WHEREAS, there has been submitted to the Board of Trustees of the Town of Wiggins a request for approval of Special Review Use for Our Lady of Lourdes Catholic Church for the construction of a Parish Hall Located at 502 Main Street; and

WHEREAS, all materials related to the proposed special review use have been reviewed by the Town Staff and the Wiggins Planning Commission and found with conditions to be in compliance with the Town of Wiggins subdivision and zoning ordinances and related Town ordinances, regulations, and policies; and

WHEREAS, the Wiggins Planning Commission has held a properly noticed public hearing on the application, and has forwarded to the Board of Trustees a recommendation of approval with conditions; and

WHEREAS, the Board of Trustees has duly considered the proposed special review use and has held a properly noticed public hearing on the application; and

WHEREAS, the Board of Trustees find that the proposed special review use should be approved, subject to certain conditions.

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

Section 1. The Board of Trustees of the Town of Wiggins hereby approves the Special Review Use for Our Lady of Lourdes Catholic Church for the construction of a Parish Hall Located at 502 Main Street, subject to the conditions set forth on Exhibit A attached hereto and incorporated by reference.

INTRODUCED, READ, AND ADOPTED THIS 28TH DAY OF SEPTEMBER, 2022.

TOWN OF WIGGINS, COLORADO

Chris Franzen, Mayor

ATTEST:

Deborah Lee, Town Clerk

EXHIBIT A

The following shall be addressed as part of the special review use approval:

1. Construction hours are from 7 am – 7 pm.
2. Off-street parking areas with six (6) or more spaces shall be adequately screened from any adjoining residentially zoned lot by landscaping or solid fencing.
3. No more than 12 parking spaces shall be permitted in a contiguous row without being interrupted by a landscaped area of at least six feet (6') wide and 16 feet long, or unless otherwise stated in the design policies of the Town.
4. Off-street parking areas must meet the minimum Land Development Code and ADA requirements based on the occupancy load of the primary building and the square footage of the new building and will be determined with a parking plan at the time of building permit application submission.
5. Our Lady of Lourdes will include the engineered sidewalk plans with their site plan at the time of building permit and work with the town for the installation of the sidewalk.
6. Additional buildings, construction trailers, or conex boxes must be approved by the Town prior to placement.
7. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.



Special Review Use Application

304 CENTRAL AVE - WIGGINS, CO 80654 - PH: 970.483.6161 - FAX: 970.483.7364 - WWW.WIGGINS.CO.COM

Filing Fee: \$250.00		RESOLUTION #: P&Z RES 06-2022	Date: 08/18/2022	APPROVED:
APPLICANT INFORMATION				
Name of Applicant	Name:	Ray Keefe		Title: Owner
	Company	Keefe Construction Services		
	Address:	16229 HWY 52		City, State Zip: Wiggins, CO 80654
	Phone:	970-467-1844	Email:	Ray@KeefeConstructionServices.com
Wiggins Contractors License #				
Name of Property Owner	Name:	Our Lady of Lourdes in Wiggins (mission of St. Helena Catholic Parish in Fort Morgan)		
	Address:	917 West 7th Avenue		City, State Zip: Fort Morgan, CO 80701
	Phone:	303-715-3181	Email:	david.wurzbach@archden.org
Property Information	Address: 502 Main Street		City, State Zip: Wiggins, CO 80654	
	Property Size (acres):	Existing Use:	Existing Zone District:	
	0.75 acres	Vacant Lot		

Please ✓ **AND** sign below to indicate you have read the attached document, the statements below and understand all that apply to this Permit Application.

*Please note: Applications will be placed on the Planning & Zoning Commissioners and Board of Trustees agendas when application is completed and returned to the Town Hall a minimum of 30 days prior to any one board meeting. Commissioner meetings are held the 2nd Tuesday of the month when there is an agenda item and the Board meetings are held every 2nd Wednesday of each month.

- ☒ Filing fee: \$250.00 PAYABLE TO: TOWN OF WIGGINS
- ☒ Names and addresses (within 300 feet) of all property owners adjacent to the subject property from the Morgan County Assessor, or an ownership update, derived from Morgan County Clerk & Recorder, from a title company or attorney.
- ☒ Legal description of the property obtained from Morgan County Clerk & Recorder, from a title company or attorney.
- ☒ Vicinity Map
- ☒ Site Plan (in accordance with Land Development Code Appendix 2).
- ☒ Certified boundary survey, monumented with legal descriptions.
- ☒ Please answer **ALL** questions from the back. (A separate sheet of paper may be used if necessary.)
- ☒ A soil survey (if applicable)
- ☒ Consultation Meeting or Discussion with the Town Manager. This is required prior to submitting a Special Review Use Application.

Meeting Date: _____

By my signature affixed hereto, I certify that I have read and examined this application and know the same to be true and correct. I understand that the granting of an approved application does not presume to give authority to violate or cancel any provisions of any state or local laws regulating a Special Review Use request.

X

Signature of Applicant

Date

Revised: 8/24/2021

000079

PLEASE PROVIDE ANSWERS TO ALL QUESTIONS. Questions may also be answered on a separate sheet of paper.

- A) Give a description of the Special Review Use being requested. Please include type of work and working hours that will be conducted.
Our Lady of Lourdes Catholic Parish will be constructing a parish hall building on the property immediately north of the existing church building. The building will be a pre-engineered single-story steel building. Construction will take place during Monday-Friday, XXam-XXpm.
- B) Will the special use be conducted in an existing structure? What part of the structure will the special use be in?
-No existing structures will be used as part of this project.

- C) Does the structure / property require changes to the outside appearance? This includes outdoor advertising signs/displays that may solicit or direct persons to this address. If yes, please provide a diagram and specs for the sign plan. This may be done on a separate sheet of paper.
-There is no existing structure on this property.

NO on New Building

- D) Will there be employees? How many employees will you have? (Please include yourself as an employee.) Please explain if your employee(s) will be working from another location, or if your employee(s) will be working from where the special use is located.

-There will be employees on site during construction. No more than XX employees will be on site at a time.

NO Employees on site. Parish Hall will be all Voluntees

- E) Does the special use require storage of any equipment, materials, and/or chemicals? If so, where will these items be stored at? Will additional storage/buildings be needed/added to the premises? (i.e. storage sheds, new additions, trailers, port-a-pots)

-Construction machinery will be required and will be stored on site. Materials will be stored on site, or in portable shipping containers on site. No permanent structures will be required for storage.

NO permanent Equipment or Trailers. NO additional Buildings

- F) Will there be commercial vehicles used for the special use? If so, how many commercial vehicles will be used, and where will these vehicles be parked and/or stored?

-It is anticipated that no more than XX commercial vehicles (construction equipment) will be parked on site at a time. Storage of any vehicles, if required, will be located just north of the existing church building.

NO ONLY during Construction

- G) Will clients be coming to the property? How often? Where will clients park?

-Members of the Parish Building Committee will be visiting the construction site weekly. Parking will be available in the church parking lot on the property immediately south of the construction site.

During Church Activities the parish will





STAFF REPORT

Planning and Zoning Commission

September 13, 2022

DATE: September 8, 2022

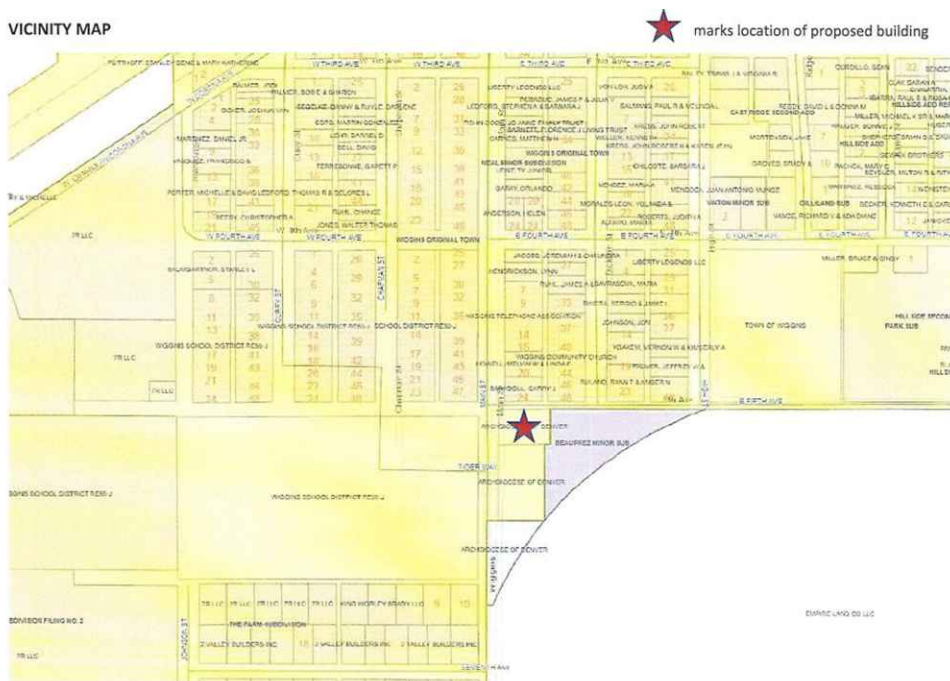
AGENDA ITEM NUMBER: II-2

TOPIC: Public Hearing and Consideration of a Special Review Use for Our Lady of Lourdes Catholic Church

STAFF MEMBER RESPONSIBLE: Hope Becker, Planning & Zoning Administrator

BACKGROUND:

Our Lady of Lourdes Catholic Church has submitted an application for a Special Review Use for the construction of a new parish hall building. The parish hall will be a detached building to the north of their existing building located in the empty lot of 502 Main Street. The vacant lot is to the north of the current church building. The satellite maps still show the residential house that the church recently demolished. The vacant lot or new parish location is zoned R1-Single Family Residential District.



Community buildings are listed as Special Review Uses in all zoning districts; therefore, requiring the Planning and Zoning Commissioners to review and make their recommendations to the Board of Trustees.

SUMMARY

COMPREHENSIVE PLAN:

It is predominantly used for guidance for Boards and Staff with land uses.

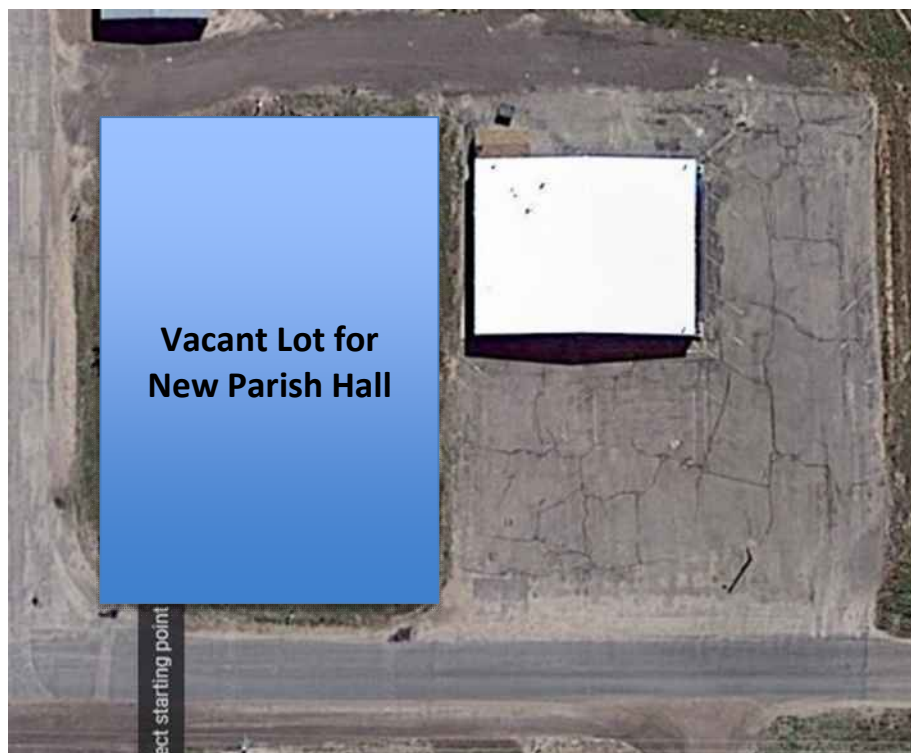
LAND DEVELOPMENT CODE (LDC):

Section 2.06 .C – Community Centers are allowed as Special Review Uses and therefore must be reviewed by the Planning and Zoning Commissioners. Their recommendation is presented to the Board of Trustees for final approval.

Section 3.06.B – Off street parking Requirements -

Places of public assembly, such as churches, auditoriums, meeting rooms	1 space for every 4 seats in the principal place of assembly
Indoor Restaurants and Bars	1 space for every 3 seats or 1 space for every 200 square feet of floor area, whichever is greater

Section 3.06.D - For specific uses not listed, the Planning Commission shall determine the appropriate number of parking spaces required based upon the type of activity, intensity, number of employees and similarity to listed uses



Site Plan / Setbacks:*Section 2.14*

The attached site plan shows that the new building will be following all minimum setbacks as required in the Land Development Code.

Water / Sewer Taps:

The church will be using the water and sewer taps that were recently capped prior to the demolition of the parsonage. New taps fees will not be required at the time of permitting.

STAFF ANALYSIS

The Our Lady of Lourdes currently has some parking spaces marked at the existing building. The primary building housing the sanctuary for the Our Lady of Lourdes Catholic Church has an occupancy load of 165. Based on this number, the church is required to have a minimum of 41 parking spaces for the current church.

In the absence of a use not listed in the LDC, the Planning Commission may use other similar uses listed. Indoor dining would be similar as the Parish Hall would be used frequently for church and community gatherings for dinners and pot lucks. Staff will require a new parking diagram to be provided at the time of building permit application to ensure that the minimum Land Development Code and ADA parking requirements are met with the construction of the new parish hall. The parking requirements for the new building will be based on square footage and can be determined once the building permit is applied for.

The approved special review use will be recorded with Morgan County Clerk and Recorder so that the decision follows any type of land search that may take place at the County's office. There is no way that Town Staff can keep track of all property owners. This is in effort to help track property history and its allowed uses.

STAFF RECOMMENDATION

The proposed fellowship hall complies with all applicable state and local requirements. Staff recommends approval of the proposed fellowship hall and offers the following motion to the Planning Commission:

I MAKE THE MOTION TO ADOPT P&Z RESOLUTION 06-0022: A RESOLUTION RECOMMENDING APPROVAL OF A SPECIAL REVIEW USE FOR OUR LADY OF LOURDES FOR THE CONSTRUCTION OF A FELLOWSHIP HALL LOCATED AT 502 MAIN STREET WITH CONDITIONS:

1. Construction hours are from 7 am – 7 pm.
2. Off-street parking areas with six (6) or more spaces shall be adequately screened from any adjoining residentially zoned lot by landscaping or solid fencing.

3. No more than 12 parking spaces shall be permitted in a contiguous row without being interrupted by a landscaped area of at least six feet (6') wide and 16 feet long, or unless otherwise stated in the design policies of the Town.
4. Off-street parking areas must meet the minimum Land Development Code and ADA requirements based on the occupancy load of the primary building and the square footage of the new building using the use of indoor restaurant's parking requirements and will be determined with a parking plan at the time of building permit application submission.
5. Additional buildings, construction trailers, or conex boxes must be approved by the Town prior to placement.
6. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.

ACTION REQUESTED:

Motion, Second, Roll-Call Vote.

(Resolutions require affirmative votes from the majority of Commission Members present.)

Enclosed Attachments:

- Application
- Site Plan

**TOWN OF WIGGINS
P&Z RESOLUTION NO. 06-2022**

**A RESOLUTION RECOMMENDING APPROVAL OF A SPECIAL REVIEW USE FOR OUR LADY OF
LOURDES CATHOLIC CHURCH FOR THE CONSTRUCTION OF A FELLOWSHIP HALL LOCATED AT
502 MAIN STREET**

WHEREAS, there has been submitted to the Planning and Zoning Commission of the Town of Wiggins an application for a special use to construct a fellowship hall located at 502 Main Street; and

WHEREAS, the Planning Commission has reviewed the criteria for special review uses set forth in the Town's Land Development Code, and finds that:

- a. The proposed use is in harmony and compatible with the character of the surrounding neighborhood;
- b. The proposed use is consistent with the Town's comprehensive plan;
- c. The proposed will not have a material adverse effect on Town capital improvement programs;
- d. The proposed use will not result in an over-intensive use of the land;
- e. The proposed use will not result in undue traffic congestion or hazards;
- f. The proposed use will not cause significant air, water or noise pollution;
- g. The proposed use will not require a level of community facilities and services greater than that available; and
- h. The proposed use shall not be detrimental to the health, safety or welfare of current or future inhabitants of the Town; and

WHEREAS, all materials related to this application have been reviewed by Town Staff and found to be in compliance with the Town of Wiggins subdivision and zoning ordinance, and related Town ordinances, regulations, and policies; and

WHEREAS, after a duly-noticed public hearing, at which evidence and testimony were entered into the record, the Wiggins Planning and Zoning Commission finds that the proposed special review use should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF WIGGINS, COLORADO, AS FOLLOWS:

Section 1. The Planning and Zoning Commission hereby recommends approval for a special review use to allow Our Lady of Lourdes Catholic Church to construct a fellowship hall located at 502 Main Street with the following conditions:


1. Construction hours are from 7 am – 7 pm.
2. Off-street parking areas with six (6) or more spaces shall be adequately screened from any adjoining residentially zoned lot by landscaping or solid fencing.
3. No more than 12 parking spaces shall be permitted in a contiguous row without being interrupted by a landscaped area of at least six feet (6') wide and 16 feet long, or unless otherwise stated in the design policies of the Town.
4. Off-street parking areas must meet the minimum Land Development Code and ADA requirements based on the occupancy load of the primary building and the square footage of the new building and will be determined with a parking plan at the time of building permit application submission.
5. Our Lady of Lourdes will include the engineered sidewalk plans with their site plan at the time of building permit and work with the town for the installation of the sidewalk.
6. Additional buildings, construction trailers, or conex boxes must be approved by the Town prior to placement.
7. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.

INTRODUCED, RECOMMENDED, AND RESOLVED THIS 13TH DAY OF SEPTEMBER, 2022.

TOWN OF WIGGINS, COLORADO


Stan Baumgartner, Vice-Chairman

ATTEST:


Deborah Lee, Town Clerk





MINUTES OF MEETING

TOWN OF WIGGINS PLANNING AND ZONING COMMISSION September 13, 2022 at 7:00 p.m.

CALL TO ORDER & ROLL CALL

A regular meeting of the Planning and Zoning Commission for the Town of Wiggins, Colorado was held on Tuesday, September 13, 2022 in person. The meeting was called to order at 7:11 p.m. by Commissioner Stan Baumgartner. The following Commissioners answered roll call: Commissioner Stan Baumgartner, Jerry Avey, Dan Ronning and Jim Musgrave. Chairman Jeff Palmer was absent. Staff present was Tom Acre, Town Manager; Planning and Zoning Administrator, Hope Becker and Deborah Lee, Town Clerk.

Hope Becker introduced the newly appointed Commissioner Dan Ronning.

APPROVAL OF AGENDA

Motion was made by Commissioner Jim Musgrave to approve the agenda as written with the amendment of adding an agenda item to appoint a Vice Chairman. Second was made by Stan Baumgartner. Roll Call: Unanimously approved.

APPOINTMENT OF PLANNING AND ZONING VICE-CHAIRPERSON

Hope explained that in the case of the Chairperson being absent that there is a need for a Vice-Chairperson.

Hope further explained to the Commissioners that although the Board of Trustees appointed each of them to the Board, the Planning and Zoning Commission needed to vote who their vice-chairperson would be.

Motion was made by Commissioner Jim Musgrave to appoint Commissioner Stan Baumgartner as the Vice-Chairperson. Second was made by Commissioner Dan Ronning. Roll Call: Unanimously approved.

APPROVAL OF MINUTES FROM JULY 12, 2022

Motion was made by Commissioner Jim Musgrave to approve the minutes from July 12, 2022. Second was made by Commissioner Dan Ronning. Roll Call: Unanimously approved.

PUBLIC HEARINGS:

1. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR SUMMIT BAPTIST CHURCH

The Public Hearing was opened at 7:18 pm by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator, Hope Becker provided the staff report and information to the Commissioners regarding the application for the Summit Baptist Church Special Review application. The applicant would like to establish an early childhood development center. This will be for children from 12 months to five years of age.

Pastor Jeff Paschal, the applicant and representative for Summit Baptist Church, attended the meeting in person. He stated that the Church was working with the Wiggins Preschool to ensure they will be following the same curriculum. The hours for the center will be from 7 a.m. to 5:30 p.m. There will be a charge to cover salaries. The State of Colorado offers help for disadvantaged children through childcare programs. They will also have a security system and keys to provide secure limited access. The Director will monitor the cameras during the day.

The Public Comment was opened at 7:34 pm. Susan Turner stated she lives directly behind the church. She questioned what the parking plans were for further expansion of the center and how it would affect the streets around the church. Pastor Paschal stated that the traffic flow for parents will be done within their own parking lot and shouldn't affect traffic on the street. The State of Colorado current maximum number of kids allowed will be 30. The Public Comment section of the hearing was closed at 7:36pm.

The Public Hearing closed at 7:37 p.m.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 05-2022: A Resolution Recommending Approval of a Special Use Review for Summit Baptist Church to Establish an Early Childhood Development Center at 401 Second Avenue.

Motion was made by Commissioner Dan Ronning to adopt P&Z Resolution 05-2022 – A Resolution Recommending Approval of a Special Use Review for Summit Baptist Church to Establish an Early Childhood Development Center at 401 Second Ave. Seconded by Commissioner Jim Musgrave. Roll Call: Unanimously approved.

2. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR OUR LADY OF LOURDES CATHOLIC CHURCH

The Public Hearing was opened at 7:40 pm by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator, Hope Becker, provided her staff report and information to the Commissioners regarding the application for Our Lady of Lourdes Catholic Church's review. The applicant desires to construct a parish hall located at 502 Main Street. Staff suggests additional conditions to the approved resolution that:

- construction hours are from 7 a.m. to 7 p.m.; there be a landscape or fence separation screening the parking lot from the residents on 5th Avenue;
- landscape divisions between parking spaces if there are more than 12 parking spaces in a contiguous row;
- church includes an engineer's report of the new sidewalk along Main Street and an agreement with the Town for the construction of the sidewalk when the Town completes the Main Street project;
- the church will comply with ADA parking requirements that will be reviewed at the time of building permit application;
- the use of additional buildings, construction trailers, or conex boxes must be pre-approved by the Town prior to placement;
- the special review will be recorded with the Morgan County Clerk and Recorder's office.

David Wurzbach, from the Archdiocese, represented Our Lady of Lourdes Catholic Church, attended the meeting through Zoom. He said he was available for any questions.

The Public Comment was opened at 7:59 p.m. There were no public comments. The Public Comment section of the hearing was closed at 7:59 p.m.

The Public Hearing closed at 8:00 p.m.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 06-2022: A Resolution Recommending Approval of a Special Use Review for Our Lady of Lourdes Catholic Church for the construction of a fellowship hall located at 502 Main Street.

Motion was made by Commissioner Dan Ronning to adopt P&Z Resolution 06-2022 – A Resolution Recommending Approval of a Special Use for Our Lady of Lourdes Catholic Church for the construction of a parish hall located at 502 Main Street. Seconded by Commissioner Jerry Avey. Roll Call: Unanimously approved.

3. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR THE WIGGINS RURAL FIRE DISTRICT

The Public Hearing was opened at 8:05 p.m. by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator Hope Becker provided the staff report and information to the Commissioners regarding the application for the Wiggins Rural Fire District review. The applicant would like to place a conex box located at 701 W Central Avenue. The conex box will be placed at an appropriate distance from the rear of the existing fire station. This distance will be determined and approved at the time of building permit application. The conex box will be used for the purpose of storing chairs, tables, and other items the fire station use for community events and fire station functions.

Nathan Troudt represented the Wiggins Rural Fire District application. He confirmed the information Hope provided in the staff report and stated he was available for further questions from the Commissioners.

The Public Comment was opened at 8:11 p.m. There were no public comments. The Public Comment section of the hearing was closed at 8:11 p.m.

The Public Hearing closed at 8:12 p.m.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 07-2022: A Resolution Recommending Approval of a Special Use Review for the Wiggins Rural Fire District for the use of a Conex Box at 701 Central Avenue with Conditions.

Motion was made by Commissioner Jerry Avey to adopt P&Z Resolution 06-2022 – A Resolution Recommending Approval of a Special Use Review for the Wiggins Rural Fire District for the use of a Conex Box at 701 Central Avenue with Conditions. Seconded by Commissioner Jim Musgrave. Roll Call: Unanimously approved.

4. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR BRADY POWERS & ROBIN SEWING

The Public Hearing was opened at 8:15 p.m. by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator, Hope Becker, provided the staff report and information to the Commissioners regarding the application for Brady Powers and Robin Sewing for the development of RV/boat storage and development of a RV Park. The development would take place within the Walton and Thomas Minor Subdivisions located across from the Town sewer plant on CR 4. Hope provided the details of the development locations as well as well as conditions that are suggested with the approval of the Commissioner recommendation to the Board of Trustees.

Brady Powers and Robin Sewing (applicants) were present for testimony and questions from the Commissioners. Confirmed details provided by Hope in her staff report. They also provided additional details of how they would like to develop the area and what types of rules would be enforced. Pictures on the screen to the public and the commissioners were provided to show examples of how the intend the RV park to look and what types of trailers and development would not be allowed.

The Public Comment was opened at 8:55 p.m.

- Debra Irwin, 214 Agate Street - Asked how the new development would affect the water pressure on the north side of town. She currently has to work efficiently with her neighbors on a strict watering schedule just to get adequate water pressure to water the lawn. Tom Acre, Town Manager, provided responses that he could not promise anything in the meeting but committed to looking into what the Town could do in the near future for water line corrections on the north side of Town.
- Glen Neal, 105 Central Avenue – Glen stated he has a good relationship with the owners and commended the applicants for all the great clean up work they have already accomplished in all of the buildings and the surrounding property. As owner of Gateway Realty, Glen voiced concerns regarding the water pressure issues, drug trafficking, sex trafficking potential due to RV Parks. He also stated he didn't want RV Park access to be from Central Avenue. He feels that there is not enough space for trailer/truck traffic. Commissioner Musgrave responded to using Central Avenue as an access point would require CDOT permits. A conversation commenced between Robin, Hope and the Commissioners that the Central Avenue sign would be used only as signage. Entrances to the RV Park and Storage area would be off of Main Street.

There were no public comments from the zoom audience. The Public Comment section of the hearing was closed at 9:20 p.m.

The Public Hearing closed at 9:21 p.m.

The Commissioners deliberated with additional questions and concerns. Commissioner Avey voiced concerned regarding the water pressure concerns. Commissioner Avey asked if there was a way to make an additional condition to the resolution that the water pressure would have to be fixed. Tom Acre, Town Manager, responded to the concerns stating that he would talk to the appropriate engineers and get a read from them if water pressure concerns could be repaired. The repairs to water pressure would not be part of the special review resolution. Hope confirmed that the Commissioners approval is a recommendation that the use is in compliance to the Land Development Code and in the best interest of the Town to the Board of Trustees to approve the final resolution.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 07-2022: A Resolution Recommending Approval of a Special Use Review for Brandd Rv Park for a RV/Boat Storage and RV Park (Campground) Located in the Walton and Thomas Minor Subdivisions with conditions.

Motion was made by Commissioner Jim Musgrave to adopt P&Z Resolution 08-2022 – A Resolution Recommending Approval of a Special Use Review for Brandd Rv Park for a RV/Boat Storage and RV Park (Campground) Located in the Walton and Thomas Minor Subdivisions with conditions. Seconded by Commissioner Jerry Avey. Roll Call: Unanimously approved.

ADJOURNMENT

Hope Becker announced to the Commissioners that the Request for Proposals for the new Comprehensive Plan and Three Mile Plan responses were received by staff. Staff is currently analyzing the proposals to determine the top 3-4 candidates to interview and narrow down to one for presentation to the Board of Trustees. Hope also announced that the Town has received a \$6,500 grant from SIPA to assist the town with its codification of Town ordinances. So that project will be going underway. The codification of ordinances will simplify community members' abilities to look up various rules and regulations that have been passed through the Board of Trustees since the Town's incorporation in 1974.

Vice-Chairman Stan Baumgartner, upon receiving no further comments or concerns from the Commissioners, adjourned the meeting at 9:30 pm.

Respectfully submitted:



Deborah Lee, Town Clerk



STAFF SUMMARY

Board of Trustees Meeting September 28, 2022

DATE: September 22, 2022

AGENDA ITEM NUMBER: 7

TOPIC: Public Hearing and Consideration of a Special Review Use for Wiggins Rural Fire District

STAFF MEMBER RESPONSIBLE: Hope Becker, Planning & Zoning Administrator

BACKGROUND:

The Wiggins Rural Fire District has submitted a Special Review Use Application to the Planning and Zoning Commission requesting 9-foot by 40-foot conex box located at 701 W Central Avenue. The conex box will provide additional storage space for equipment and supplies the fire district often uses for community events. The box will be located at the rear of the fire station.

SUMMARY:

701 W Central Avenue is located in the Business Zone District with conex boxes listed as a use by special review. The conex box will be placed at an appropriate distance from the fire station. The setbacks and any other Land Development Code requirements will be reviewed and approved prior to the placement of the conex box.

The application was presented at a hearing before the Planning and Zoning Commission on September 13, 2022. The Planning and Zoning Commission approved a resolution recommending approval of the Special Review Use to the Board of Trustees with conditions as follows:

1. The Wiggins Rural Fire District will provide a site plan with the final decision of the conex box placement with the distance from the building to the conex box and receive approval from the town prior to placement.
2. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.

All documents presented at the Planning and Zoning Commission hearing and the Planning and Zoning Commission meeting minutes are included in this packet for review by the Board of Trustees.

FISCAL IMPACT:

Approving this Resolution has no negative impact on the Town's adopted budget.

APPLICABILITY TO TOWN OBJECTIVES AND GOALS TO PROVIDE SERVICES:

Consideration of the Special Review Use for placement of a conex box behind the fire station supports the Town's desire to support community organizations in their efforts to keeping properties clean, organized, and safe.

OPTIONS AVAILABLE TO THE BOARD OF TRUSTEES

The Board of Trustees may approve the Special Review Use, deny the Special Review Use, or approve the Special Review with additional/modified conditions. Alternatively, if the Board of Trustees needs additional information or time to make its decision, it can continue the hearing until the Board's next meeting. If you wish to continue the hearing, here is a proposed motion: "I move to continue this public hearing to the Town Board meeting on October 26, 2022 at 7 pm."

MOTION FOR APPROVAL:

I make the motion to adopt Resolution 33-2022: A Resolution Approving a Special Review Use for the Wiggins Rural Fire District for the Use of a Conex Box Located at 701 Central Ave.

ACTION REQUESTED:

Motion, Second, Roll-Call Vote.

(Resolutions require affirmative votes from the majority of Trustees present.)

**TOWN OF WIGGINS
RESOLUTION NO. 33-2022**

**A RESOLUTION APPROVING A SPECIAL REVIEW USE FOR THE WIGGINS RURAL FIRE DISTRICT
FOR THE USE OF A CONEX BOX LOCATED AT 701 CENTRAL AVENUE**

WHEREAS, there has been submitted to the Board of Trustees of the Town of Wiggins a request for approval of A Special Review Use for the Wiggins Rural Fire District for the use of a conex box located at 701 Central Avenue; and

WHEREAS, all materials related to the proposed special review use have been reviewed by the Town Staff and the Wiggins Planning Commission and found with conditions to be in compliance with the Town of Wiggins subdivision and zoning ordinances and related Town ordinances, regulations, and policies; and

WHEREAS, the Wiggins Planning Commission has held a properly noticed public hearing on the application, and has forwarded to the Board of Trustees a recommendation of approval with conditions; and

WHEREAS, the Board of Trustees has duly considered the proposed special review use and has held a properly noticed public hearing on the application; and

WHEREAS, the Board of Trustees find that the proposed special review use should be approved, subject to certain conditions.

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

Section 1. The Board of Trustees of the Town of Wiggins hereby approves a resolution approving a Special Review Use for the Wiggins Rural Fire District for the use of a conex box located at 701 Central Avenue, subject to the conditions set forth on Exhibit A attached hereto and incorporated by reference.

INTRODUCED, READ, AND ADOPTED THIS 28TH DAY OF SEPTEMBER, 2022.

TOWN OF WIGGINS, COLORADO

Chris Franzen, Mayor

ATTEST:

Deborah Lee, Town Clerk

EXHIBIT A

The following shall be addressed as part of the special review use approval:

1. The Wiggins Rural Fire District will provide at the time of building permit application, a site plan with the final decision of the conex box placement and the distance from the building to the box.
2. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.



Special Review Use Application

304 CENTRAL AVE - WIGGINS, CO 80654 - PH: 970.483.6161 - FAX: 970.483.7364 - WWW.WIGGINS.CO.COM

Filing Fee: \$250.00		RESOLUTION #: P&Z 07-2022	Date: 7/14/2022	APPROVED:	
APPLICANT INFORMATION					
Name of Applicant	Name:	Nathan Troudt		Title: Board President	
	Company	Wiggins Rural Fire Protection District			
	Address:	701 Central Ave		City, State Zip:	Wiggins
	Phone:	970.768.5584	Email:		
Wiggins Contractors License #					
Name of Property Owner	Name:	Wiggins Rural Fire Protection District			
	Address:	701 Central Ave.		City, State Zip:	Wiggins
	Phone:	970.768.1144	Email:	wfdsecretary@rtebb.net	
Property Information	Address: 701 Central Ave.		City, State Zip: Wiggins		
	Property Size (acres):	Existing Use:	Existing Zone District:		

Please ✓ **AND** sign below to indicate you have read the attached document, the statements below and understand all that apply to this Permit Application.

*Please note: Applications will be placed on the Planning & Zoning Commissioners and Board of Trustees agendas when application is completed and returned to the Town Hall a minimum of 30 days prior to any one board meeting. Commissioner meetings are held the 2nd Tuesday of the month when there is an agenda item and the Board meetings are held every 2nd Wednesday of each month.

- ☒ Filing fee: \$250.00 PAYABLE TO: TOWN OF WIGGINS
- ☐ Names and addresses (within 300 feet) of all property owners adjacent to the subject property from the Morgan County Assessor, or an ownership update, derived from Morgan County Clerk & Recorder, from a title company or attorney.
- ☐ Legal description of the property obtained from Morgan County Clerk & Recorder, from a title company or attorney.
- ☐ Vicinity Map
- ☐ Site Plan (in accordance with Land Development Code Appendix 2).
- ☐ Certified boundary survey, monumented with legal descriptions.
- ☐ Please answer **ALL** questions from the back. (A separate sheet of paper may be used if necessary.)
- ☐ A soil survey (if applicable)
- ☐ Consultation Meeting or Discussion with the Town Manager. This is required prior to submitting a Special Review Use Application.

Meeting Date: _____

By my signature affixed hereto, I certify that I have read and examined this application and know the same to be true and correct. I understand that the granting of an approved application does not presume to give authority to violate or cancel any provisions of any state or local laws regulating a Special Review Use request.

X

Signature of Applicant

Nathan Troudt

14 July 2022

Date

Revised: 8/24/2021

000097

PLEASE PROVIDE ANSWERS TO ALL QUESTIONS. Questions may also be answered on a separate sheet of paper.

- A) Give a description of the Special Review Use being requested. Please include type of work and working hours that will be conducted.

The Wiggins Rural Fire Protection District would like to install a storage container behind Station 1 in Wiggins.

- B) Will the special use be conducted in an existing structure? What part of the structure will the special use be in?

The storage container will be installed behind the station.

- C) Does the structure / property require changes to the outside appearance? This includes outdoor advertising signs / displays that may solicit or direct persons to the address? If yes, please provide a diagram and spec for the sign plan. This may be done on a separate sheet of paper.

No

- D) Will there be employees? How many employees will you have? (Please indicate yourself as an employee.) Please explain if your employees will be working from another location, or if your employee(s) will be working from where the special use will be located.

No

- E) Does the special use require storage of any equipment, materials, and/or chemicals? If, so where will these items be stored at? Will additional storage/buildings be needed / added to the premises? (i.e. storage sheds, new additions, trailers, port-a-pots.)

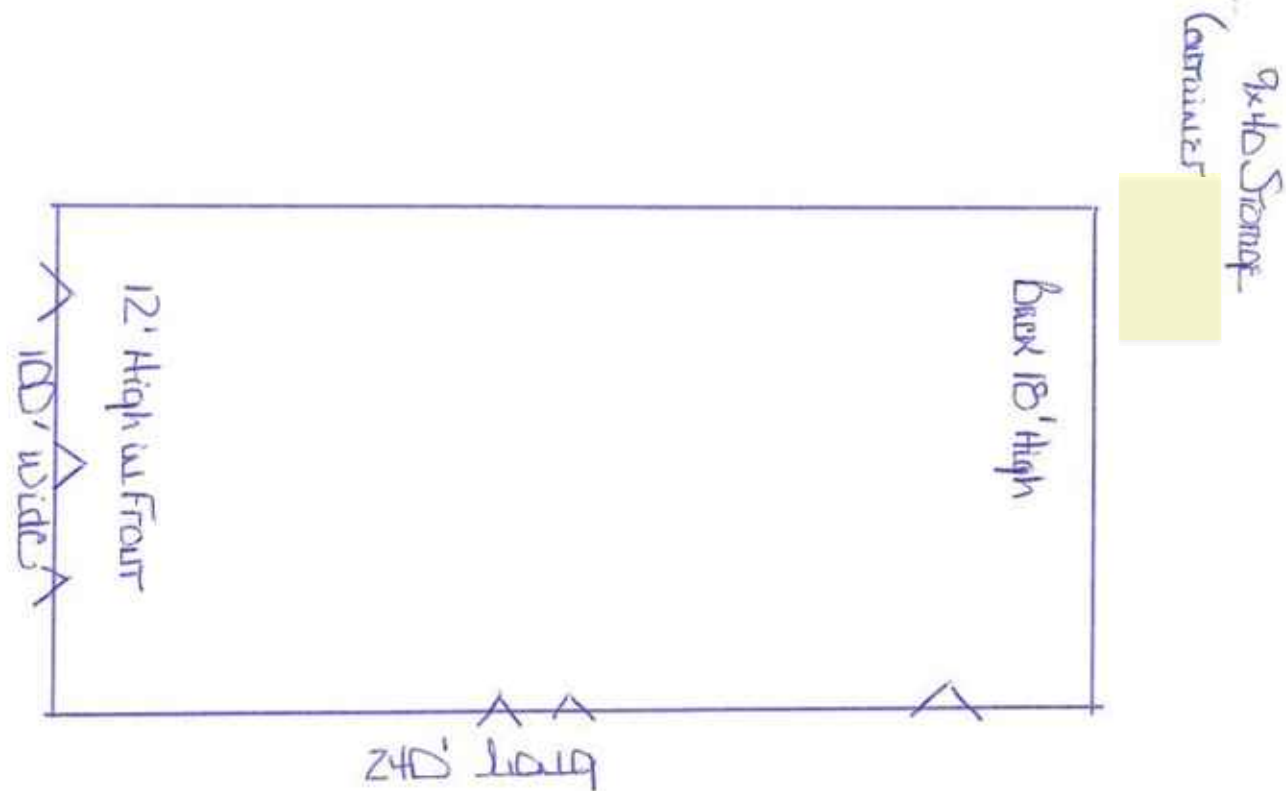
The storage container will hold table and chairs that the WRFPD owns.

- F) Will there be commercial vehicles used for the special use? If so, how many commercial vehicles will be used, and where will these vehicles be parked and/or stored?

No

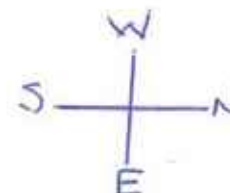
- G) Will clients be coming to the property? How often? Where will clients park?

No



Wiggins Rural Fire Protection Dist
 701 Central Avenue
 Wiggins, CO

^ doors





STAFF REPORT

Planning and Zoning Commission September 13, 2022

DATE: September 8, 2022

AGENDA ITEM NUMBER: II-3

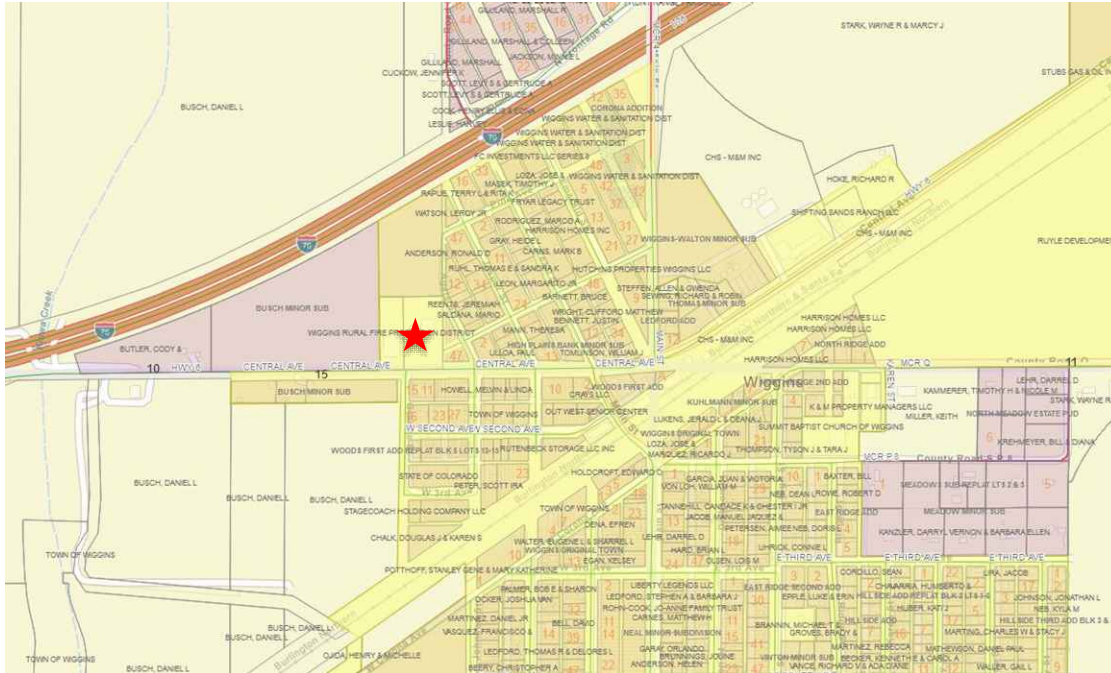
TOPIC: Public Hearing and Consideration of a Special Review Use for Wiggins Rural Fire District

STAFF MEMBER RESPONSIBLE: Hope Becker, Planning & Zoning Administrator

BACKGROUND:

The Wiggins Rural Fire District has submitted an application for a Special Review Use for the use of a 9' x 40' (9-foot by 40-foot) conex box. The conex box will provide additional storage for tables, chairs, and other items for events sponsored by the Wiggins Rural Fire District. The conex box will be set away from the existing building located at 701 Central Avenue. The fire house is located at the western edge of town limits. The fire station located in the BD-Business Zone District.





Conex boxes are listed as Special Review Uses in all zonings; therefore, requiring the Planning and Zoning Commissioners to review and make their recommendations to the Board of Trustees for final approval.

SUMMARY

COMPREHENSIVE PLAN:

It is predominantly used for guidance for Boards and Staff with land uses.

LAND DEVELOPMENT CODE (LDC):

Section 2.10.C – The use of portable conex boxes or other portable storage containers is considered a Special Review Use.

Section 2.14 - Site Plan / Setbacks:

The attached site plan shows that the new building will be following all minimum setbacks as required in the Land Development Code.

STAFF ANALYSIS

The site plan indicates that the conex box will be placed behind the fire house. The fire station is undecided if the conex box will be placed on the northwest side or the northeast side at the rear of the build. Staff suggests that the resolution include a condition of approval that the fire district building permit site plan for the conex box will indicate the minimum distance allowed by the current building codes.

The intended use of the conex box and its placement complies with all applicable state and local requirements. The conex box does not take away from other structures or cause

distractions to surrounding buildings. Although town limits could expand in the future, the use of the conex box should not become a hinderance to future development.

STAFF RECOMMENDATION

Staff recommends approval of the proposed application and offers the following motion to the Planning Commission:

I MAKE THE MOTION TO ADOPT P&Z RESOLUTION 07-2022: A RESOLUTION RECOMMENDING APPROVAL OF A SPECIAL REVIEW USE FOR THE WIGGINS RURAL FIRE DISTRICT FOR THE USE OF A CONEX BOX LOCATED AT 701 CENTRAL AVENUE WITH CONDITIONS:

1. The Wiggins Rural Fire District will provide at the time of building permit application, a site plan with the final decision of the conex box placement and the distance from the building to the box.
2. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.

ACTION REQUESTED:

Motion, Second, Roll-Call Vote.

(Resolutions require affirmative votes from the majority of Commission Members present.)

Enclosed Attachments:

- Application
- Site Plan

**TOWN OF WIGGINS
P&Z RESOLUTION NO. 07-2022**

**A RESOLUTION RECOMMENDING APPROVAL OF A SPECIAL REVIEW USE FOR THE WIGGINS
RURAL FIRE DISTRICT FOR THE USE OF A CONEX BOX LOCATED AT 701 CENTRAL AVENUE**

WHEREAS, there has been submitted to the Planning and Zoning Commission of the Town of Wiggins an application for a special review use for a conex box at the Wiggins Rural Fire District located at 701 Central Avenue; and

WHEREAS, the Planning Commission has reviewed the criteria for special review uses set forth in the Town's Land Development Code, and finds that:

- a. The proposed use is in harmony and compatible with the character of the surrounding neighborhood;
- b. The proposed use is consistent with the Town's comprehensive plan;
- c. The proposed will not have a material adverse effect on Town capital improvement programs;
- d. The proposed use will not result in an over-intensive use of the land;
- e. The proposed use will not result in undue traffic congestion or hazards;
- f. The proposed use will not cause significant air, water or noise pollution;
- g. The proposed use will not require a level of community facilities and services greater than that available; and
- h. The proposed use shall not be detrimental to the health, safety or welfare of current or future inhabitants of the Town; and

WHEREAS, all materials related to this application have been reviewed by Town Staff and found to be in compliance with the Town of Wiggins subdivision and zoning ordinance, and related Town ordinances, regulations, and policies; and

WHEREAS, after a duly-noticed public hearing, at which evidence and testimony were entered into the record, the Wiggins Planning and Zoning Commission finds that the proposed special review use should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF WIGGINS, COLORADO, AS FOLLOWS:

Section 1. The Planning and Zoning Commission hereby recommends approval for a special review use to allow the Wiggins Rural Fire District to place a conex box at 701 Central Avenue for the use of extra storage with conditions:

1. The Wiggins Rural Fire District will provide at the time of building permit application, a site plan with the final decision of the conex box placement and the distance from the building to the box.
2. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.

INTRODUCED, RECOMMENDED, AND RESOLVED THIS 13TH DAY OF SEPTEMBER, 2022.

TOWN OF WIGGINS, COLORADO


Stan Baumgartner, Vice-Chairman

ATTEST:


Deborah Lee, Town Clerk





MINUTES OF MEETING

TOWN OF WIGGINS PLANNING AND ZONING COMMISSION September 13, 2022 at 7:00 p.m.

CALL TO ORDER & ROLL CALL

A regular meeting of the Planning and Zoning Commission for the Town of Wiggins, Colorado was held on Tuesday, September 13, 2022 in person. The meeting was called to order at 7:11 p.m. by Commissioner Stan Baumgartner. The following Commissioners answered roll call: Commissioner Stan Baumgartner, Jerry Avey, Dan Ronning and Jim Musgrave. Chairman Jeff Palmer was absent. Staff present was Tom Acre, Town Manager; Planning and Zoning Administrator, Hope Becker and Deborah Lee, Town Clerk.

Hope Becker introduced the newly appointed Commissioner Dan Ronning.

APPROVAL OF AGENDA

Motion was made by Commissioner Jim Musgrave to approve the agenda as written with the amendment of adding an agenda item to appoint a Vice Chairman. Second was made by Stan Baumgartner. Roll Call: Unanimously approved.

APPOINTMENT OF PLANNING AND ZONING VICE-CHAIRPERSON

Hope explained that in the case of the Chairperson being absent that there is a need for a Vice-Chairperson.

Hope further explained to the Commissioners that although the Board of Trustees appointed each of them to the Board, the Planning and Zoning Commission needed to vote who their vice-chairperson would be.

Motion was made by Commissioner Jim Musgrave to appoint Commissioner Stan Baumgartner as the Vice-Chairperson. Second was made by Commissioner Dan Ronning. Roll Call: Unanimously approved.

APPROVAL OF MINUTES FROM JULY 12, 2022

Motion was made by Commissioner Jim Musgrave to approve the minutes from July 12, 2022. Second was made by Commissioner Dan Ronning. Roll Call: Unanimously approved.

PUBLIC HEARINGS:

1. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR SUMMIT BAPTIST CHURCH

The Public Hearing was opened at 7:18 pm by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator, Hope Becker provided the staff report and information to the Commissioners regarding the application for the Summit Baptist Church Special Review application. The applicant would like to establish an early childhood development center. This will be for children from 12 months to five years of age.

Pastor Jeff Paschal, the applicant and representative for Summit Baptist Church, attended the meeting in person. He stated that the Church was working with the Wiggins Preschool to ensure they will be following the same curriculum. The hours for the center will be from 7 a.m. to 5:30 p.m. There will be a charge to cover salaries. The State of Colorado offers help for disadvantaged children through childcare programs. They will also have a security system and keys to provide secure limited access. The Director will monitor the cameras during the day.

The Public Comment was opened at 7:34 pm. Susan Turner stated she lives directly behind the church. She questioned what the parking plans were for further expansion of the center and how it would affect the streets around the church. Pastor Paschal stated that the traffic flow for parents will be done within their own parking lot and shouldn't affect traffic on the street. The State of Colorado current maximum number of kids allowed will be 30. The Public Comment section of the hearing was closed at 7:36pm.

The Public Hearing closed at 7:37 p.m.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 05-2022: A Resolution Recommending Approval of a Special Use Review for Summit Baptist Church to Establish an Early Childhood Development Center at 401 Second Avenue.

Motion was made by Commissioner Dan Ronning to adopt P&Z Resolution 05-2022 – A Resolution Recommending Approval of a Special Use Review for Summit Baptist Church to Establish an Early Childhood Development Center at 401 Second Ave. Seconded by Commissioner Jim Musgrave. Roll Call: Unanimously approved.

2. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR OUR LADY OF LOURDES CATHOLIC CHURCH

The Public Hearing was opened at 7:40 pm by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator, Hope Becker, provided her staff report and information to the Commissioners regarding the application for Our Lady of Lourdes Catholic Church's review. The applicant desires to construct a parish hall located at 502 Main Street. Staff suggests additional conditions to the approved resolution that:

- construction hours are from 7 a.m. to 7 p.m.; there be a landscape or fence separation screening the parking lot from the residents on 5th Avenue;
- landscape divisions between parking spaces if there are more than 12 parking spaces in a contiguous row;
- church includes an engineer's report of the new sidewalk along Main Street and an agreement with the Town for the construction of the sidewalk when the Town completes the Main Street project;
- the church will comply with ADA parking requirements that will be reviewed at the time of building permit application;
- the use of additional buildings, construction trailers, or conex boxes must be pre-approved by the Town prior to placement;
- the special review will be recorded with the Morgan County Clerk and Recorder's office.

David Wurzbach, from the Archdiocese, represented Our Lady of Lourdes Catholic Church, attended the meeting through Zoom. He said he was available for any questions.

The Public Comment was opened at 7:59 p.m. There were no public comments. The Public Comment section of the hearing was closed at 7:59 p.m.

The Public Hearing closed at 8:00 p.m.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 06-2022: A Resolution Recommending Approval of a Special Use Review for Our Lady of Lourdes Catholic Church for the construction of a fellowship hall located at 502 Main Street.

Motion was made by Commissioner Dan Ronning to adopt P&Z Resolution 06-2022 – A Resolution Recommending Approval of a Special Use for Our Lady of Lourdes Catholic Church for the construction of a parish hall located at 502 Main Street. Seconded by Commissioner Jerry Avey. Roll Call: Unanimously approved.

3. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR THE WIGGINS RURAL FIRE DISTRICT

The Public Hearing was opened at 8:05 p.m. by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator Hope Becker provided the staff report and information to the Commissioners regarding the application for the Wiggins Rural Fire District review. The applicant would like to place a conex box located at 701 W Central Avenue. The conex box will be placed at an appropriate distance from the rear of the existing fire station. This distance will be determined and approved at the time of building permit application. The conex box will be used for the purpose of storing chairs, tables, and other items the fire station use for community events and fire station functions.

Nathan Troudt represented the Wiggins Rural Fire District application. He confirmed the information Hope provided in the staff report and stated he was available for further questions from the Commissioners.

The Public Comment was opened at 8:11 p.m. There were no public comments. The Public Comment section of the hearing was closed at 8:11 p.m.

The Public Hearing closed at 8:12 p.m.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 07-2022: A Resolution Recommending Approval of a Special Use Review for the Wiggins Rural Fire District for the use of a Conex Box at 701 Central Avenue with Conditions.

Motion was made by Commissioner Jerry Avey to adopt P&Z Resolution 06-2022 – A Resolution Recommending Approval of a Special Use Review for the Wiggins Rural Fire District for the use of a Conex Box at 701 Central Avenue with Conditions. Seconded by Commissioner Jim Musgrave. Roll Call: Unanimously approved.

4. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR BRADY POWERS & ROBIN SEWING

The Public Hearing was opened at 8:15 p.m. by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator, Hope Becker, provided the staff report and information to the Commissioners regarding the application for Brady Powers and Robin Sewing for the development of RV/boat storage and development of a RV Park. The development would take place within the Walton and Thomas Minor Subdivisions located across from the Town sewer plant on CR 4. Hope provided the details of the development locations as well as well as conditions that are suggested with the approval of the Commissioner recommendation to the Board of Trustees.

Brady Powers and Robin Sewing (applicants) were present for testimony and questions from the Commissioners. Confirmed details provided by Hope in her staff report. They also provided additional details of how they would like to develop the area and what types of rules would be enforced. Pictures on the screen to the public and the commissioners were provided to show examples of how the intend the RV park to look and what types of trailers and development would not be allowed.

The Public Comment was opened at 8:55 p.m.

- Debra Irwin, 214 Agate Street - Asked how the new development would affect the water pressure on the north side of town. She currently has to work efficiently with her neighbors on a strict watering schedule just to get adequate water pressure to water the lawn. Tom Acre, Town Manager, provided responses that he could not promise anything in the meeting but committed to looking into what the Town could do in the near future for water line corrections on the north side of Town.
- Glen Neal, 105 Central Avenue – Glen stated he has a good relationship with the owners and commended the applicants for all the great clean up work they have already accomplished in all of the buildings and the surrounding property. As owner of Gateway Realty, Glen voiced concerns regarding the water pressure issues, drug trafficking, sex trafficking potential due to RV Parks. He also stated he didn't want RV Park access to be from Central Avenue. He feels that there is not enough space for trailer/truck traffic. Commissioner Musgrave responded to using Central Avenue as an access point would require CDOT permits. A conversation commenced between Robin, Hope and the Commissioners that the Central Avenue sign would be used only as signage. Entrances to the RV Park and Storage area would be off of Main Street.

There were no public comments from the zoom audience. The Public Comment section of the hearing was closed at 9:20 p.m.

The Public Hearing closed at 9:21 p.m.

The Commissioners deliberated with additional questions and concerns. Commissioner Avey voiced concerned regarding the water pressure concerns. Commissioner Avey asked if there was a way to make an additional condition to the resolution that the water pressure would have to be fixed. Tom Acre, Town Manager, responded to the concerns stating that he would talk to the appropriate engineers and get a read from them if water pressure concerns could be repaired. The repairs to water pressure would not be part of the special review resolution. Hope confirmed that the Commissioners approval is a recommendation that the use is in compliance to the Land Development Code and in the best interest of the Town to the Board of Trustees to approve the final resolution.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 07-2022: A Resolution Recommending Approval of a Special Use Review for Brandd Rv Park for a RV/Boat Storage and RV Park (Campground) Located in the Walton and Thomas Minor Subdivisions with conditions.

Motion was made by Commissioner Jim Musgrave to adopt P&Z Resolution 08-2022 – A Resolution Recommending Approval of a Special Use Review for Brandd Rv Park for a RV/Boat Storage and RV Park (Campground) Located in the Walton and Thomas Minor Subdivisions with conditions. Seconded by Commissioner Jerry Avey. Roll Call: Unanimously approved.

ADJOURNMENT

Hope Becker announced to the Commissioners that the Request for Proposals for the new Comprehensive Plan and Three Mile Plan responses were received by staff. Staff is currently analyzing the proposals to determine the top 3-4 candidates to interview and narrow down to one for presentation to the Board of Trustees. Hope also announced that the Town has received a \$6,500 grant from SIPA to assist the town with its codification of Town ordinances. So that project will be going underway. The codification of ordinances will simplify community members' abilities to look up various rules and regulations that have been passed through the Board of Trustees since the Town's incorporation in 1974.

Vice-Chairman Stan Baumgartner, upon receiving no further comments or concerns from the Commissioners, adjourned the meeting at 9:30 pm.

Respectfully submitted:



Deborah Lee, Town Clerk



STAFF SUMMARY

Board of Trustees Meeting September 28, 2022

DATE: September 22, 2022

AGENDA ITEM NUMBER: 8

TOPIC: Public Hearing and Consideration of a Special Review Use for Summit Baptist Church

STAFF MEMBER RESPONSIBLE: Hope Becker, Planning & Zoning Administrator

BACKGROUND:

Summit Baptist Church has submitted a Special Review Use Application to the Planning and Zoning Commission requesting to develop an Early Childhood Development Center for children 12 months to five years of age. The childcare center would be located in the church building located at 401 Second Avenue. The church completed its new sanctuary and additional classroom approximately two years ago and desires to utilize the space by providing a service to the community.

The program will consist of approximately five classrooms and with a teacher in each classroom. Each classroom will follow state guidelines for assistants per teacher/student ratio. 30 students is the State of Colorado Department of Education's maximum limit for the church's current setup. Summit Baptist Church has also followed the State of Colorado Department of Education requirements to bring this service to the community members of Wiggins.

SUMMARY:

401 Second Avenue is located in the R1-Single Family District with Childcare Centers listed as a use by special review. The application was presented at a public hearing before the Planning and Zoning Commission on September 13, 2022.

Summit Baptist Church is continuing to work with the State and the County to receive all proper certifications to properly run the childhood development center. Pastor Jeff Paschall represented the church application and confirmed that the hours of operation would be from 7 am to 5:30 pm. There will be charges per student as they center must pull in an income to pay for teacher salaries. Pastor Paschall also confirmed that proper security measures would be taken to ensure the safety all students and staff members.

The Planning and Zoning Commission approved a resolution recommending approval to the Board of Trustees with conditions. The conditions are as follows:

1. Summit Baptist Church must continue to meet all state and county requirements regarding education licenses and certification, with a copy of the State License provided to the Town Clerk with the Business License application.
2. Summit Baptist Church must continue to meet all state and county requirements regarding facility maintenance and food services, with a copy of certifications provided to the Town Clerk with the Business License application.
3. The Early Child Care Development Center will be required to apply for a Town Business license each calendar year with their State and County certifications.
4. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.

All documents that were presented at the Planning and Zoning Commission hearing and the minutes of the Planning and Zoning Commission meeting are included in this packet for review by the Board of Trustees.

FISCAL IMPACT:

Approving this Resolution has no negative impact on the Town's adopted budget.

APPLICABILITY TO TOWN OBJECTIVES AND GOALS TO PROVIDE SERVICES:

Consideration of the Special Review Use for an Early Childhood Development Center supports the Town's desire to assist businesses and organizations in providing needed services to community members.

OPTIONS AVAILABLE TO THE BOARD OF TRUSTEES

The Board of Trustees may approve the Special Review Use, deny the Special Review Use, or approve the Special Review with additional/modified conditions. Alternatively, if the Board of Trustees needs additional information or time to make its decision, it can continue the hearing until the Board's next meeting. If you wish to continue the hearing, here is a proposed motion: "I move to continue this public hearing to the Town Board meeting on October 26, 2022 at 7 pm."

MOTION FOR APPROVAL:

I make the motion to adopt Resolution 34-2022: A Resolution Approving a Special Review Use for Summit Baptist Church to Establish an Early Childhood Development Center at 401 Second Avenue.

ACTION REQUESTED:

Motion, Second, Roll-Call Vote.

(Resolutions require affirmative votes from the majority of Trustees present.)

**TOWN OF WIGGINS
RESOLUTION NO. 34-2022**

**A RESOLUTION APPROVING A SPECIAL REVIEW USE FOR SUMMIT BAPTIST CHURCH TO
ESTABLISH AN EARLY CHILDHOOD DEVELOPMENT CENTER AT 401 SECOND AVENUE**

WHEREAS, there has been submitted to the Board of Trustees of the Town of Wiggins a request for approval of Special Review Use for Summit Baptist Church to establish an early childhood development center at 401 Second Avenue; and

WHEREAS, all materials related to the proposed special review use have been reviewed by the Town Staff and the Wiggins Planning Commission and found with conditions to be in compliance with the Town of Wiggins subdivision and zoning ordinances and related Town ordinances, regulations, and policies; and

WHEREAS, the Wiggins Planning Commission has held a properly noticed public hearing on the application, and has forwarded to the Board of Trustees a recommendation of approval with conditions; and

WHEREAS, the Board of Trustees has duly considered the proposed special review use and has held a properly noticed public hearing on the application; and

WHEREAS, the Board of Trustees find that the proposed special review use should be approved, subject to certain conditions.

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

Section 1. The Board of Trustees of the Town of Wiggins hereby approves the Special Review Use for Summit Baptist Church to establish an early childhood development center at 401 Second Avenue, subject to the conditions set forth on Exhibit A attached hereto and incorporated by reference.

INTRODUCED, READ, AND ADOPTED THIS 28TH DAY OF SEPTEMBER, 2022.

TOWN OF WIGGINS, COLORADO

Chris Franzen, Mayor

ATTEST:

Deborah Lee, Town Clerk

EXHIBIT A

The following shall be addressed as part of the special review use approval:

1. Summit Baptist Church must continue to meet all state and county requirements regarding education licenses and certification, with a copy of the State License provided to the Town Clerk with the Business License application.
2. Summit Baptist Church must continue to meet all state and county requirements regarding facility maintenance and food services, with a copy of certifications provided to the Town Clerk with the Business License application.
3. The Early Child Care Development Center will be required to apply for a Town Business license each calendar year with their State and County certifications.
4. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.



Special Review Use Application

304 CENTRAL AVE - WIGGINS, CO 80654 - PH: 970.483.6161 - FAX: 970.483.7364 - WWW.WIGGINS.CO.COM

Filing Fee: \$250.00		RESOLUTION #: P&Z RES 05-2022	Date:	APPROVED:
APPLICANT INFORMATION				
Name of Applicant	Name:	Jeff Paschall		Title: Senior Pastor
	Company	Summit Baptist Church		
	Address:	401 2nd Ave	City, State Zip: Wiggins CO 80654	
	Phone:	970 483 7496	Email:	pastorjeff@SBCWiggins.org
Wiggins Contractors License #		None		
Name of Property Owner	Name:	Summit Baptist Church		
	Address:	401 2nd Ave	City, State Zip: Wiggins CO 80654	
	Phone:	970 483 7496	Email:	pastorjeff@SBCWiggins.org
Property Information	Address:	401 2nd Ave	City, State Zip: Wiggins CO 80654	
	Property Size (acres):	Existing Use:		Existing Zone District:
	Religious (Church)			

Please ✓ **AND** sign below to indicate you have read the attached document, the statements below and understand all that apply to this Permit Application.

*Please note: Applications will be placed on the Planning & Zoning Commissioners and Board of Trustees agendas when application is completed and returned to the Town Hall a minimum of 30 days prior to any one board meeting. Commissioner meetings are held the 2nd Tuesday of the month when there is an agenda item and the Board meetings are held every 2nd Wednesday of each month.

- ☐ Filing fee: \$250.00 PAYABLE TO: TOWN OF WIGGINS
- ☐ Names and addresses (within 300 feet) of all property owners adjacent to the subject property from the Morgan County Assessor, or an ownership update, derived from Morgan County Clerk & Recorder, from a title company or attorney.
- ☐ Legal description of the property obtained from Morgan County Clerk & Recorder, from a title company or attorney.
- ☐ Vicinity Map
- ☐ Site Plan (in accordance with Land Development Code Appendix 2).
- ☐ Certified boundary survey, monumented with legal descriptions.
- ☐ Please answer **ALL** questions from the back. (A separate sheet of paper may be used if necessary.)
- ☐ A soil survey (if applicable)
- ☐ Consultation Meeting or Discussion with the Town Manager. This is required prior to submitting a Special Review Use Application.

Meeting Date: _____

By my signature affixed hereto, I certify that I have read and examined this application and know the same to be true and correct. I understand that the granting of an approved application does not presume to give authority to violate or cancel any provisions of any state or local laws regulating a Special Review Use request.

X

Signature of Applicant

Jeff Paschall

7-31-22

Date

Revised: 8/24/2021

PLEASE PROVIDE ANSWERS TO ALL QUESTIONS. Questions may also be answered on a separate sheet of paper.

- A) Give a description of the Special Review Use being requested. Please include type of work and working hours that will be conducted.
- B) Will the special use be conducted in an existing structure? What part of the structure will the special use be in?
- C) Does the structure / property require changes to the outside appearance? This includes outdoor advertising signs/displays that may solicit or direct persons to this address. If yes, please provide a diagram and specs for the sign plan. This may be done on a separate sheet of paper.
- D) Will there be employees? How many employees will you have? (Please include yourself as an employee.) Please explain if your employee(s) will be working from another location, or if your employee(s) will be working from where the special use is located.
- E) Does the special use require storage of any equipment, materials, and/or chemicals? If so, where will these items be stored at? Will additional storage/buildings be needed/added to the premises? (i.e. storage sheds, new additions, trailers, port-a-pots)
- F) Will there be commercial vehicles used for the special use? If so, how many commercial vehicles will be used, and where will these vehicles be parked and/or stored?
- G) Will clients be coming to the property? How often? Where will clients park?

Revised: 8/24/2021

Special Review Use Application Answers

- A) Summit Baptist Church would like to use its facilities to open an Education Center for children ages 12 months -5 years.
 - a. Hours of Operations would be from 7am-5:30pm
- B) The use of this education center will be used in our current facilities
 - a. 5 classrooms, Sanctuary and fellowship hall will be used
- C) No changes to outside appearance is required for the education center (Sign's yes) Front Lawn Area
- D) There will be seven employees that will be hired to run the education center
 - a. All employees will be working at this location.
- E) No storage is needed
- F) No commercial vehicles will be in use for the education center
- G) Clients (parents) will be coming to the property for drop off and pick up purposes.
 - a. Twice a day
 - b. They will park in the upper parking lot by the main entrance.



STAFF REPORT

Planning and Zoning Commission September 13, 2022

DATE: September 8, 2022

AGENDA ITEM NUMBER: II-1

TOPIC: Public Hearing and Consideration of a Special Review Use for Summit Baptist Church

STAFF MEMBER RESPONSIBLE: Hope Becker, Planning & Zoning Administrator

BACKGROUND:

Summit Baptist Church has submitted a Special Review Use application for the creation of an Early Childhood Development Center located at 401 Second Avenue. Summit Baptist has made a commitment to serve its community. The church has recently completed construction of a new sanctuary and classrooms in their building which they feel could benefit families in the community in the form of childcare.



Members of Summit Baptist have discovered that community members are having to drive 60 plus miles, round trip, to provide adequate childcare for their families. The church has many members who already have a number of years of educational teaching experience that can be of service to the community in the form of childcare. Utilizing the newly remodeled space in the church building provides a safe environment for young children while meeting a need that is desired in the community.

The Early Childcare Development Center would comprise of 5 classrooms and not more than 30 students ranging from 12 months to 5 years of age. There will be a certified teacher in each room with additional assistants depending on the age of the classroom and the State's student/teacher ratio requirements. The program will be under the same standards that the Wiggins Preschool follows. The church has been working with Lisa Trautwein at Wiggins Preschool and plan to partner with the school for special events and activities. Wiggins Preschool is excited to work with the new center as their enrollment is capped and there is a waiting list.

SUMMARY

COMPREHENSIVE PLAN:

It is predominantly used for guidance for Boards and Staff with land uses. It does state an objective of the Town should be to "maintain or improve the current level of services." Although an early childcare service will not bring in additional sale tax revenue to the Town, it will provide a much needed service to the community members of Wiggins. (page IV-19)

LAND DEVELOPMENT CODE (LDC):

Zoning - 401 Second Avenue is zoned R1-Single Family Residential District.

Section 1.14 - Basic Definitions

Child Care Center – "A child care center offers each client less than 24-hour care but may operate for 24 hours in a day including a Large Child Care Center, Small Child Care Center, School-aged Child Care Center, Infant Nursery and Toddler Nursery as defined by the Colorado Department of Social Services"

Section 2.06 .C – Nurseries and Daycare Centers are allowed as a Special Review Uses in the R-1 Zone District

Section 3.06.B – Off street parking Requirements

Childcare Centers	1 space per classroom, plus 1 space per employee
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The Early Childcare Development Center will have five (5) classrooms and approximately seven (7) employees. The child care center will need to provide a minimum of 12 parking spaces per the Land Development Code. The facility has large parking lots on the upper east and lower west sides of the building that meet the minimum requirements.

Section 3.02 Commercial and Industrial Use Performance Standards

Although Summit Baptist church is not commercial or Industrial, their building is located in a single-family residential zone. Glare and heat, vibrations, light, smoke,



odors, noise, and fugitive dust are things that need to be taken into consideration.

Appendix 11 – Sign Permit Submission Requirements and Standards

Summit Baptist is not going to install a sign at this moment due to the cost of signs. They do intend to utilize a portable roll up sign that will be approximately 2' wide x 5' high. The sign does not light up and it will be removed after children are dropped off or picked up. The applicant has been advised that they will need to contact Planning and Zoning for a sign permit when they are ready to install a permanent sign fixture.

STAFF ANALYSIS

The Early Childcare Development Center will be required to go through proper licensure with the Colorado Department of Education (CDU) and with the Colorado Health and Human Services. It currently has its CDU license. A state Licensing Specialist has indicated that their license number 1761960 certificate will be delivered to the church a few weeks prior to their opening date. The center will provide food services to the students. The church facility has been reviewed and inspected and is awaiting approval. The childcare center will be required to apply for and submit proper state and county documentation with their Business License application each calendar year.

STAFF RECOMMENDATION

The proposed Early Childhood Education Center complies with all applicable state and local requirements. Staff recommends approval of the proposed Early Childhood Development Center and offers the following motion to the Planning Commission:

I MAKE THE MOTION TO ADOPT P&Z RESOLUTION 05-2022: A RESOLUTION RECOMMENDING APPROVAL OF A SPECIAL USE REVIEW FOR SUMMIT BAPTIST CHURCH TO ESTABLISH AN EARLY CHILDHOOD DEVELOPMENT CENTER AT 401 SECOND AVENUE WITH CONDITIONS:

1. The Early Childcare Development Center must continue to meet all state and county requirements regarding education licenses and certification, with a copy of the State License provided to the Town Clerk with the Business License application.
2. Early Childcare Development Center must continue to meet all state and county requirements regarding facility maintenance and food services, with a copy of certifications provided to the Town Clerk with the Business License application.
3. The Early Child Care Development Center will be required to apply for a Town Business license each calendar year with their State and County certifications.
4. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.

ACTION REQUESTED:

Motion, Second, Roll-Call Vote.

(Resolutions require affirmative votes from the majority of Commission Members present.)

Enclosed Attachments:

- Application

**TOWN OF WIGGINS
P&Z RESOLUTION NO. 05-2022**

**A RESOLUTION RECOMMENDING APPROVAL OF A SPECIAL REVIEW USE FOR SUMMIT
BAPTIST CHURCH TO ESTABLISH AN EARLY CHILDHOOD DEVELOPMENT CENTER AT 401
SECOND AVENUE**

WHEREAS, there has been submitted to the Planning and Zoning Commission of the Town of Wiggins an application for a special review use to allow Summit Baptist Church to operate an Early Childhood Development Center located at 401 Second Avenue; and

WHEREAS, the Planning Commission has reviewed the criteria for special review uses set forth in the Town's Land Development Code, and finds that:

- a. The proposed use is in harmony and compatible with the character of the surrounding neighborhood;
- b. The proposed use is consistent with the Town's comprehensive plan;
- c. The proposed will not have a material adverse effect on Town capital improvement programs;
- d. The proposed use will not result in an over-intensive use of the land;
- e. The proposed use will not result in undue traffic congestion or hazards;
- f. The proposed use will not cause significant air, water or noise pollution;
- g. The proposed use will not require a level of community facilities and services greater than that available; and
- h. The proposed use shall not be detrimental to the health, safety or welfare of current or future inhabitants of the Town; and

WHEREAS, all materials related to this application have been reviewed by Town Staff and found with conditions to be in compliance with the Town of Wiggins subdivision and zoning ordinance, and related Town ordinances, regulations, and policies; and

WHEREAS, after a duly-noticed public hearing, at which evidence and testimony were entered into the record, the Wiggins Planning and Zoning Commission finds that the proposed special review use should be approved subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF WIGGINS, COLORADO, AS FOLLOWS:

Section 1. The Planning and Zoning Commission hereby recommends approval of a special review use allowing the Summit Baptist Church to operate an Early Childhood Development Center at 401 Second Avenue subject to the following conditions:

1. Summit Baptist Church must continue to meet all state and county requirements regarding education licenses and certification, with a copy of the State License provided to the Town Clerk with the Business License application.
2. Summit Baptist Church must continue to meet all state and county requirements regarding facility maintenance and food services, with a copy of certifications provided to the Town Clerk with the Business License application.
3. The Early Child Care Development Center will be required to apply for a Town Business license each calendar year with their State and County certifications.
4. The approved special review use will be recorded with the Morgan County Clerk and Recorder's office by the Town for the purpose of creating a land use record for future owners.

INTRODUCED, RECOMMENDED, AND RESOLVED THIS 13TH DAY OF SEPTEMBER, 2022.

TOWN OF WIGGINS, COLORADO


Stan Baumgartner, Vice Chairman

ATTEST:


Deborah Lee, Town Clerk





MINUTES OF MEETING

TOWN OF WIGGINS PLANNING AND ZONING COMMISSION September 13, 2022 at 7:00 p.m.

CALL TO ORDER & ROLL CALL

A regular meeting of the Planning and Zoning Commission for the Town of Wiggins, Colorado was held on Tuesday, September 13, 2022 in person. The meeting was called to order at 7:11 p.m. by Commissioner Stan Baumgartner. The following Commissioners answered roll call: Commissioner Stan Baumgartner, Jerry Avey, Dan Ronning and Jim Musgrave. Chairman Jeff Palmer was absent. Staff present was Tom Acre, Town Manager; Planning and Zoning Administrator, Hope Becker and Deborah Lee, Town Clerk.

Hope Becker introduced the newly appointed Commissioner Dan Ronning.

APPROVAL OF AGENDA

Motion was made by Commissioner Jim Musgrave to approve the agenda as written with the amendment of adding an agenda item to appoint a Vice Chairman. Second was made by Stan Baumgartner. Roll Call: Unanimously approved.

APPOINTMENT OF PLANNING AND ZONING VICE-CHAIRPERSON

Hope explained that in the case of the Chairperson being absent that there is a need for a Vice-Chairperson.

Hope further explained to the Commissioners that although the Board of Trustees appointed each of them to the Board, the Planning and Zoning Commission needed to vote who their vice-chairperson would be.

Motion was made by Commissioner Jim Musgrave to appoint Commissioner Stan Baumgartner as the Vice-Chairperson. Second was made by Commissioner Dan Ronning. Roll Call: Unanimously approved.

APPROVAL OF MINUTES FROM JULY 12, 2022

Motion was made by Commissioner Jim Musgrave to approve the minutes from July 12, 2022. Second was made by Commissioner Dan Ronning. Roll Call: Unanimously approved.

PUBLIC HEARINGS:

1. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR SUMMIT BAPTIST CHURCH

The Public Hearing was opened at 7:18 pm by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator, Hope Becker provided the staff report and information to the Commissioners regarding the application for the Summit Baptist Church Special Review application. The applicant would like to establish an early childhood development center. This will be for children from 12 months to five years of age.

Pastor Jeff Paschal, the applicant and representative for Summit Baptist Church, attended the meeting in person. He stated that the Church was working with the Wiggins Preschool to ensure they will be following the same curriculum. The hours for the center will be from 7 a.m. to 5:30 p.m. There will be a charge to cover salaries. The State of Colorado offers help for disadvantaged children through childcare programs. They will also have a security system and keys to provide secure limited access. The Director will monitor the cameras during the day.

The Public Comment was opened at 7:34 pm. Susan Turner stated she lives directly behind the church. She questioned what the parking plans were for further expansion of the center and how it would affect the streets around the church. Pastor Paschal stated that the traffic flow for parents will be done within their own parking lot and shouldn't affect traffic on the street. The State of Colorado current maximum number of kids allowed will be 30. The Public Comment section of the hearing was closed at 7:36pm.

The Public Hearing closed at 7:37 p.m.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 05-2022: A Resolution Recommending Approval of a Special Use Review for Summit Baptist Church to Establish an Early Childhood Development Center at 401 Second Avenue.

Motion was made by Commissioner Dan Ronning to adopt P&Z Resolution 05-2022 – A Resolution Recommending Approval of a Special Use Review for Summit Baptist Church to Establish an Early Childhood Development Center at 401 Second Ave. Seconded by Commissioner Jim Musgrave. Roll Call: Unanimously approved.

2. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR OUR LADY OF LOURDES CATHOLIC CHURCH

The Public Hearing was opened at 7:40 pm by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator, Hope Becker, provided her staff report and information to the Commissioners regarding the application for Our Lady of Lourdes Catholic Church's review. The applicant desires to construct a parish hall located at 502 Main Street. Staff suggests additional conditions to the approved resolution that:

- construction hours are from 7 a.m. to 7 p.m.; there be a landscape or fence separation screening the parking lot from the residents on 5th Avenue;
- landscape divisions between parking spaces if there are more than 12 parking spaces in a contiguous row;
- church includes an engineer's report of the new sidewalk along Main Street and an agreement with the Town for the construction of the sidewalk when the Town completes the Main Street project;
- the church will comply with ADA parking requirements that will be reviewed at the time of building permit application;
- the use of additional buildings, construction trailers, or conex boxes must be pre-approved by the Town prior to placement;
- the special review will be recorded with the Morgan County Clerk and Recorder's office.

David Wurzbach, from the Archdiocese, represented Our Lady of Lourdes Catholic Church, attended the meeting through Zoom. He said he was available for any questions.

The Public Comment was opened at 7:59 p.m. There were no public comments. The Public Comment section of the hearing was closed at 7:59 p.m.

The Public Hearing closed at 8:00 p.m.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 06-2022: A Resolution Recommending Approval of a Special Use Review for Our Lady of Lourdes Catholic Church for the construction of a fellowship hall located at 502 Main Street.

Motion was made by Commissioner Dan Ronning to adopt P&Z Resolution 06-2022 – A Resolution Recommending Approval of a Special Use for Our Lady of Lourdes Catholic Church for the construction of a parish hall located at 502 Main Street. Seconded by Commissioner Jerry Avey. Roll Call: Unanimously approved.

3. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR THE WIGGINS RURAL FIRE DISTRICT

The Public Hearing was opened at 8:05 p.m. by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator Hope Becker provided the staff report and information to the Commissioners regarding the application for the Wiggins Rural Fire District review. The applicant would like to place a conex box located at 701 W Central Avenue. The conex box will be placed at an appropriate distance from the rear of the existing fire station. This distance will be determined and approved at the time of building permit application. The conex box will be used for the purpose of storing chairs, tables, and other items the fire station use for community events and fire station functions.

Nathan Troudt represented the Wiggins Rural Fire District application. He confirmed the information Hope provided in the staff report and stated he was available for further questions from the Commissioners.

The Public Comment was opened at 8:11 p.m. There were no public comments. The Public Comment section of the hearing was closed at 8:11 p.m.

The Public Hearing closed at 8:12 p.m.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 07-2022: A Resolution Recommending Approval of a Special Use Review for the Wiggins Rural Fire District for the use of a Conex Box at 701 Central Avenue with Conditions.

Motion was made by Commissioner Jerry Avey to adopt P&Z Resolution 06-2022 – A Resolution Recommending Approval of a Special Use Review for the Wiggins Rural Fire District for the use of a Conex Box at 701 Central Avenue with Conditions. Seconded by Commissioner Jim Musgrave. Roll Call: Unanimously approved.

4. PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE REVIEW FOR BRADY POWERS & ROBIN SEWING

The Public Hearing was opened at 8:15 p.m. by Vice-Chairman Stan Baumgartner.

Planning and Zoning Administrator, Hope Becker, provided the staff report and information to the Commissioners regarding the application for Brady Powers and Robin Sewing for the development of RV/boat storage and development of a RV Park. The development would take place within the Walton and Thomas Minor Subdivisions located across from the Town sewer plant on CR 4. Hope provided the details of the development locations as well as well as conditions that are suggested with the approval of the Commissioner recommendation to the Board of Trustees.

Brady Powers and Robin Sewing (applicants) were present for testimony and questions from the Commissioners. Confirmed details provided by Hope in her staff report. They also provided additional details of how they would like to develop the area and what types of rules would be enforced. Pictures on the screen to the public and the commissioners were provided to show examples of how the intend the RV park to look and what types of trailers and development would not be allowed.

The Public Comment was opened at 8:55 p.m.

- Debra Irwin, 214 Agate Street - Asked how the new development would affect the water pressure on the north side of town. She currently has to work efficiently with her neighbors on a strict watering schedule just to get adequate water pressure to water the lawn. Tom Acre, Town Manager, provided responses that he could not promise anything in the meeting but committed to looking into what the Town could do in the near future for water line corrections on the north side of Town.
- Glen Neal, 105 Central Avenue – Glen stated he has a good relationship with the owners and commended the applicants for all the great clean up work they have already accomplished in all of the buildings and the surrounding property. As owner of Gateway Realty, Glen voiced concerns regarding the water pressure issues, drug trafficking, sex trafficking potential due to RV Parks. He also stated he didn't want RV Park access to be from Central Avenue. He feels that there is not enough space for trailer/truck traffic. Commissioner Musgrave responded to using Central Avenue as an access point would require CDOT permits. A conversation commenced between Robin, Hope and the Commissioners that the Central Avenue sign would be used only as signage. Entrances to the RV Park and Storage area would be off of Main Street.

There were no public comments from the zoom audience. The Public Comment section of the hearing was closed at 9:20 p.m.

The Public Hearing closed at 9:21 p.m.

The Commissioners deliberated with additional questions and concerns. Commissioner Avey voiced concerned regarding the water pressure concerns. Commissioner Avey asked if there was a way to make an additional condition to the resolution that the water pressure would have to be fixed. Tom Acre, Town Manager, responded to the concerns stating that he would talk to the appropriate engineers and get a read from them if water pressure concerns could be repaired. The repairs to water pressure would not be part of the special review resolution. Hope confirmed that the Commissioners approval is a recommendation that the use is in compliance to the Land Development Code and in the best interest of the Town to the Board of Trustees to approve the final resolution.

CONSIDERATION OF PLANNING AND ZONING RESOLUTION 07-2022: A Resolution Recommending Approval of a Special Use Review for Brandd Rv Park for a RV/Boat Storage and RV Park (Campground) Located in the Walton and Thomas Minor Subdivisions with conditions.

Motion was made by Commissioner Jim Musgrave to adopt P&Z Resolution 08-2022 – A Resolution Recommending Approval of a Special Use Review for Brandd Rv Park for a RV/Boat Storage and RV Park (Campground) Located in the Walton and Thomas Minor Subdivisions with conditions. Seconded by Commissioner Jerry Avey. Roll Call: Unanimously approved.

ADJOURNMENT

Hope Becker announced to the Commissioners that the Request for Proposals for the new Comprehensive Plan and Three Mile Plan responses were received by staff. Staff is currently analyzing the proposals to determine the top 3-4 candidates to interview and narrow down to one for presentation to the Board of Trustees. Hope also announced that the Town has received a \$6,500 grant from SIPA to assist the town with its codification of Town ordinances. So that project will be going underway. The codification of ordinances will simplify community members' abilities to look up various rules and regulations that have been passed through the Board of Trustees since the Town's incorporation in 1974.

Vice-Chairman Stan Baumgartner, upon receiving no further comments or concerns from the Commissioners, adjourned the meeting at 9:30 pm.

Respectfully submitted:



Deborah Lee, Town Clerk