



Oak Creek Fire Protection District Special Board Meeting Minutes Aug 26 2024

Call to order 6:31 pm

A meeting of Oak Creek Fire Protection District was held at 131 E Main Street Oak Creek CO on Aug 26, 2024

Attendees

Attendees included David Park, President; Mike Roach, Secretary; Eric Kimsey, Member; Skyler McKinley, Member.

Members not in attendance

Members not in attendance included: Dwayne Osadchuk, Member

Approval of Resolution Establishing a Fire Impact Fee and Adopting an Impact Fee Schedule.

David Park asked the public to hold their questions and comments to the end until after the Board had discussed the topic as he thought most of the questions would be answered.

Chief Glauthier offered the background on the Impact Fees. When the District was looking at their budget and the affects of the new developments coming into the District and the impact on services at the current personal, equipment and facilities, and saw there would be a large shortfall and did not want this to affect the level of service to the current population. The District approached the Routt County Commissioners, and they said no to the idea of implementing this fee locally. At about this same time, the Colorado State Legislators were developing a bill that would provide special districts to implement this fee in order to assist with the shortfall that would be impacting the special districts. The fees would only be for capital improvements, such as buildings & equipment. The fee would only be implemented on new builds or modifications of more than 50% of any existing structure.

The District had contracted with a firm to perform a Nexus Study that would show statistics of the future growth and the needs of this growth within the District. This considered call volume and types of calls and many other factors. A few schedule was created to account for future growth for many years. Right to waive petitions were included in the study as long as it is consistent and transparent.

David Park did state that Routt County and the Town of Oak Creek were notified that the District was considering this fee. The responses from each were:

Routt County had concerns with the flat fee for large homes and small apartments and the location of the new build. They wanted a waiver for affordable and workforce housing

The Town of Oak Creek thanked the District for attending a meeting with the Board to discuss this topic and also would like waivers for affordable and workforce housing and dedicated land to OCFPD. They also would like to see a checklist developed that is available to the public and would ensure consistency and transparency in the process. They would like to see a re-evaluation of the fee schedule bi-annually for the next 5-6 years and to have the fees delayed until the first of the year 2025.

Revisit the Act: The District shall not levy any fees until the permit is issued. There are additional provisions for Oil & Gas categories. The Act provides that Fire Departments and Ambulance services have access to this process. The Act also provides an avenue for special districts to levy a sales tax that is approved by the public for these shortfalls.

Skylar McKinley referred to the comments submitted by the Town of Oak Creek and agreed a checklist for evaluation should be developed and available to the public and that a petition for a waiver should also be available to the public on the website. The Town of Oak Creek also requested a delay in the implementation of this new fee and David Park thought a start date of Jan 1 would be good. Chief Glauthier did state that all permits in progress will not be subject to the impact fee. He also stated that the public notices have been circulated for a while now.

Skylar McKinley did ask if the building season usually subsides in Oct and stated that new fees usually begin on Jan 1.

David Park did insist that the District establish a good working relationship with the other governmental entities and the public.

Mike Roach did state that it was good to meet with the Town and their willingness to back these fees after a good discussion with the District, and this relationship should continue to grow through good communication.

Eric Kimsey wanted to know about affecting the local community and the logistics of timing with the Building Dept who would be processing this at the time permits are pulled. There was a discussion.

It was stated that the District is the first in the State to have the process in progress and that many will follow as the need is large. It was also stated that the public will appreciate the Jan 1 start date.

Chief Glauthier read Resolution #2024-26: Resolution Establishing a Fire Impact Fee and Adopting an Impact Fee Schedule.

The Resolution was amended to reflect the correction of square footage of 1,000 in non-residential space of \$10,422 fee

A motion was made to approve the resolution as corrected. Motion seconded and passed unanimously.

A motion was made to modify the Attachment to reflect the effective date to January 1 2025. A second was made and the motion was passed unanimously.

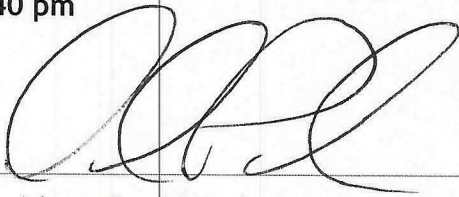
The District will notify Routt County and the Town of Oak Creek of this passage.

The Board did ask for public comment and received no input.

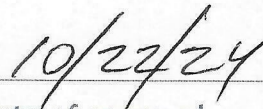
David Park let the Board know his is the Board Treasurer of Northwest Colorado Health and he feels that the community would be receptive to a fund-raising effort on the park of the District and that this Community Foundation may be a big player in this effort as well. The district would need to create a plan for the needs of the District, and he feels the District would get buy-in from many people in the District. He also stated that the District Board commitment to the District would be needed. Chief also stated that the Federal partners would like the District to be active in fundraising.

Adjournment

7:40 pm



President- David Park



Date of approval

**RESOLUTION
BOARD OF DIRECTORS
OAK CREEK FIRE PROTECTION DISTRICT**

RESOLUTION ESTABLISHING A FIRE IMPACT FEE AND ADOPTING AN IMPACT FEE SCHEDULE

WHEREAS, the Oak Creek Fire Protection District ("**District**") is a political subdivision of the State of Colorado, organized pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, to provide fire protection, fire prevention, public education, rescue, hazardous materials, ambulance, and emergency medical services (collectively, "**Emergency Services**") to the citizens and property within its jurisdiction, and to individuals passing through its jurisdiction;

WHEREAS, pursuant to C.R.S. § 32-1-1002(1)(d.5)(I), the District is authorized to receive and spend an impact fee ("**Fire Impact Fee**") on the construction of new buildings, structures, facilities, or improvements, including oil or gas wells and related equipment, on previously improved or unimproved real property within its jurisdictional boundaries (collectively, "**New Development**");

WHEREAS, the District obtained an Impact Fee Study dated June 2024, to evaluate the nexus between New Development within the District's jurisdictional boundaries and the projected impact that such New Development has on the District's capital facilities ("**Nexus Study**");

WHEREAS, in accordance with C.R.S. § 32-1-1002(1)(d.5)(II), the Nexus Study quantified the reasonable impacts of both new residential development and new non-residential development on the District's capital facilities, and based thereon, the District's Chief Staff recommended an impact fee schedule at levels no greater than necessary to defray such impacts directly related to the New Development within the District's jurisdiction ("**Impact Fee Schedule**"). A copy of the proposed Impact Fee Schedule is attached as Attachment A; and

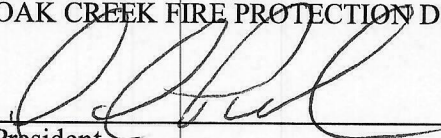
WHEREAS, the District's Board of Directors has determined it is in the best interests of the District and the citizens it serves to establish a Fire Impact Fee and approve the attached Impact Fee Schedule.

NOW THEREFORE, be it resolved by the Board of Directors of the Oak Creek Fire Protection District that:

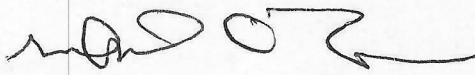
1. The Impact Fee Schedule attached as Attachment A is hereby adopted and approved;
2. No developer is required to provide any site-specific dedication or improvement to meet the same need for capital facilities for which a Fire Impact Fee is imposed pursuant to the Impact Fee Schedule;
3. The District may waive the Fire Impact Fee on the development of low- or moderate-income housing or affordable employee housing; and
4. The District and a developer may mutually determine whether an "in-kind" contribution may be made by the developer in lieu of paying all or portion of a Fire Impact Fee.

ADOPTED this 26th day of August, 2024.

BY THE BOARD OF DIRECTORS
OAK CREEK FIRE PROTECTION DISTRICT



President



Secretary

Attachment A

OAK CREEK FIRE PROTECTION DISTRICT
FIRE IMPACT FEE SCHEDULE

Effective August 27, 2024

Jan 1st 2025

Impact Fee Per Residential Unit	\$5,695
Impact Fee Per Square Foot of Nonresidential Floor Area	\$10.442