

# Jeffrey L. Durbin

## ICMA Credentialed Manager

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*A dedicated, creative, innovation-oriented manager who believes in the spirit of public service and embraces change and opportunity. Establishing positive relationships throughout the community, embracing a good sense of humor, and leading with an approachable and honest management style are important components of my character. I set high expectations, but find realistic ways to achieve success.*

**Frisco, Colorado**

**Interim Town Manager**

**May 1, 2021-current**

As Interim Town Manager, my role is to establish stability during the transition period, to facilitate continued implementation of capital projects and programs, to ensure that the organization continues to provide a high level of service and to implement policy objectives established by Town Council. Frisco has 250 employees and a total Budget of approximately \$30,000,000.

**Fraser, Colorado**

**Town Manager**

**2004-2020**

During my tenure, Fraser confronted many challenges and experienced great strides in improved levels of service, efficiency, accountability, and integrity. The organization included Administration, Finance, Planning, Public Works (streets, water, wastewater collections, open space, and facilities), Wastewater Treatment Plant, Police Department (including municipal court) and Building Department (48 total FTE). Highlights of my accomplishments in Fraser include the following:

- Prepared and managed the Municipal Budget that included General Fund, Water Fund, Wastewater Fund, Joint Facilities Fund, Capital Equipment Replacement Fund, Capital Asset Fund, Debt Service Fund, Restricted Revenue Fund, and the Cozens Ranch Open Space Fund (2020 Budget is \$18,790,000). Established an effective financial management approach for the organization based upon a high degree of transparency, efficiency, and accountability.
- Despite facing three periods of significant revenue declines, long range fiscal planning and effective financial management led to increased reserve funds meeting reserve targets. Additionally, we've completed upgrades to all public facilities, provided for implementation of new programs and productivity gains, and increased levels of service across all departments.
- Implemented an Asset Management Program and developed multi-year Capital Improvement Plans and funding plans for all streets, water systems, wastewater collections systems, and the wastewater treatment plant. Currently working development of a new Public Works Facility.
- Brought over \$12,000,000 in grant revenues into the community.
- Implemented emergency preparedness planning and training and successfully managed severe flooding, high water conditions, three wildfires, and the 2020 COVID-19 Pandemic.
- Established the Fraser Winter Park Police Department, prior to which the community relied on the County Sheriff for law enforcement services. 2020 Marks the 15-year anniversary of the department.
- Completed dissolution of the Fraser Sanitation District and incorporated those operations with the Town of Fraser to provide for more efficient and effective service to our residents and customers. The community had been struggling with this matter for almost 20 years.

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- Established a Sustainability Plan which resulted in disposable bag fees, electric vehicle charging stations and development of a trash and recycling pay as you throw drop off facility.
- Implemented a new multijurisdictional public transit system (The Lift) which is funded via a 1% dedicated sales tax levy which was approved by Fraser voters in 2015.
- Implemented a wide variety of Intergovernmental Agreements to provide more cost-effective services with entities including the East Grand Fire Protection District, the East Grand School District, the Fraser Valley Recreation District, the Town of Winter Park, the Town of Granby, Grand County, and others.
- Established the Fraser Housing Authority along with implementation of a new Fraser Deed Restriction Program. Attainable housing is one of Fraser’s most significant challenges.
- Implementation of medical/recreational marijuana regulations pursuant to voter approved amendments to the Colorado Constitution and a trademark battle over the slogan “Icebox of the Nation” with International Falls, MN were among my most unusual professional challenges.
- The most unique initiative was a two-year cooperative study with the Town of Winter Park to consider the consolidation of the two communities.

During my tenure as Town Manager, I’ve also served the community and the public in the following roles:

- Board member on the Grand County E911 Authority Board. This Board is responsible for the collection of telephone surcharges for 911 and underwrites Grand County dispatch operations. I successfully led an effort to overhaul dispatch funding allocations among service providers.
- Board member (Vice Chair) for the Colorado Intergovernmental Risk Sharing Agency (CIRSA), a self-insurance pool that covers over 270 municipalities and public entities.

Relevant recent experience includes the following:

- Gettysburg Leadership Institute. Annually, the International City Managers Association offers the opportunity for Credentialed Managers to study the leadership lessons of Gettysburg in a unique exploration of personal leadership, organizational effectiveness, and the lessons of history.
- The Institute for Participatory Management and Planning, Systematic Development of Informed Consent. 2020 Marks the fifth year of taking teams to this program.

<b>Fraser, Colorado</b>	<b>Community Development Director</b>	<b>2000-2003</b>
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In 2000, the Town of Fraser was just embarking into the world of significant development. Until that time, annual construction activity was minimal. My role was to prepare the community for dramatic change and to implement systems and procedures that could add capacity and increase effectiveness.

- Prepared a new Comprehensive Plan for the community (the last such effort was over 20 years prior). Implemented a geographic information system (GIS) and a complete overhaul of the Town’s development codes and administrative procedures.
- Established new administrative procedures to provide for consistent and clear expectations.
- Responsible for Planning Department and management of contractual relationships with the Grand County Building Department, Town Engineer, and other consulting teams.

**Plainfield, Illinois**

**Community Development Director**

**1994-2000**

Responsible for all departmental operations during a time when the community grew from 4,000 residents to well over 15,000. Departmental divisions included building, planning, zoning, and code enforcement.

- Overhauled the Zoning Code and Development Review Processes (including implementation of fiscal impact analyses and design review).
- Prepared Comprehensive Plan and development evaluation process that received Urban Innovation Award.
- Established inter-jurisdictional planning and implementation agreements for a new arterial roadway necessary to serve future development within ten different jurisdictions.
- Implemented Village Board vision for a Clean Community Initiative with community cleanups, a new code enforcement program, and enforcement of development agreements.
- Initiated and implemented efforts to expand the downtown into undeveloped areas along with areas requiring redevelopment. This effort included a national urban design competition and establishment of a Main Street Program.

Received the employee of the year award for my success in negotiating an agreement with the United States Postal Service to construct a new Post Office in the downtown expansion area as an anchor, and also negotiated the dedication of a new Village Hall site with a developer within the project area.

**State of Michigan, State Historic Preservation Office**

**Preservation Planner**

**1992-1994**

Worked with local governments to establish local historic preservation programs, helped find ways to maintain local landmarks, and resolved other related local matters. Developed statewide goals and programs that would support historic properties and resources at all public and private levels.

- Developed statewide planning process to implement federal guidelines related to various permit review agencies throughout the State of Michigan.
- Prepared Michigan Comprehensive Historic Preservation Plan.
- Managed public participation programs and assisted local historic districts with technical support.
- Prepared the organization for State Program Review as required by National Park Service rules.

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<b>Danckaert &amp; Associates</b>	<b>Design/Drafting</b>	<b>1989-1992</b>
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Responsible for individual and team design duties, along with preparation of construction documents and shop drawings. Managed permitting with the appropriate local jurisdictions and construction administration on a variety of projects.

<b>L Gale Abels and Associates</b>	<b>Design/Drafting/Models</b>	<b>1987-1989</b>
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Responsible for individual and team design duties, along with preparation of construction documents and shop drawings. Managed permitting and code compliance with the appropriate local jurisdictions.

<b>Michigan State University</b>	<b>Masters of Urban and Regional Planning</b>	<b>1994</b>
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*Noteworthy Accomplishments Included:*

Old Town Lansing

Design services for a Revitalization project in a North Lansing National Historic District.

Del Ray Neighborhood

Worked with development corporation on redevelopment and revitalization of a southwest Detroit neighborhood.

Greater Lansing Global Village Housing Development Authority

Prepared market analysis and feasibility study for an affordable housing project in Lansing, MI.

St Louis Marketplace

Assisted community with development project evaluations.

<b>University of Colorado</b>	<b>Bachelor of Environmental Design</b>	<b>1989</b>
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*Noteworthy Accomplishments Included:*

Navajo Housing Project

Worked with the Navajo Reservation to design, fund, and construct prototype affordable housing for the Navajo Nation consistent with traditional culture and vernacular housing.

Julesburg Sugar Mill to Organic Chicken Farm Redevelopment Project

Worked for the Colorado Economic Development Department on a feasibility analysis and programmatic design to redevelop an abandoned sugar factory in Julesburg, Colorado, into an organic chicken farm to initiate community re-investment and job creation.

Colorado Recycling Program

Program development and collection operations.

**References available upon request**

## Internet – Newspaper Archives Searches

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*(Articles are in reverse chronological order)*

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Summit Daily News (CO)

June 16, 2021

### **Frisco discusses path forward on workforce housing**

Author: Sawyer D'Argonne

Frisco returned to conversations surrounding the lack of affordable housing in the area last week, hoping to improve on older tools in the town's arsenal and come up with new ideas to combat the growing need for attainable units to house the town's workforce.

The Frisco Town Council held a wide-ranging discussion on housing issues during a work session meeting Tuesday, June 8, meant to identify the biggest barriers to solving the problem and the foundational steps officials need to take to find remedies.

Frisco's housing coordinator Eva Henson provided council members with a presentation on the current state of housing in Frisco to help contextualize what officials are up against, in particular with regard to short-term rentals. Henson said Frisco currently has a population of over 3,100 people, and there are about 3,600 total housing units. But the rapid increase in short-term rentals over the past decade has created considerable issues with regard to the housing stock.

Henson said Frisco saw a 40% annual increase in short-term rentals between 2010 and 2018. Today, there are about 638 short-term rental units in town — about 17% of the total housing stock — and locals own only 72 of those units. In fact, of the more than 9,000 total short-term rentals in Summit County, only about 7% are owned locally, Henson said.

"We've seen an extremely rapid growth in short-term rentals, and unfortunately, during roughly that same time frame over the last 10 years, we saw our (long-term) rental pool significantly deplete, and, as well with the pandemic, almost vanish," Henson said.

Henson said Frisco currently has 153 deed-restricted units in various developments in town along with 17 town-owned units, which combine to make up about 4.5% of the town's housing stock.

Administering the town's short-term rental licensing program and managing town-owned units has been a primary focus for Henson since the town created her position last year. But officials say that's a problem, as she's been too bogged down with those tasks to spend time where she's really needed: helping to solve the town's workforce housing shortage problem.

Interim Town Manager **Jeff Durbin** provided several recommendations at the meeting, many revolved around ways to give Henson more time to focus on big-picture projects in lieu of licensing minutiae. **Durbin** recommended the creation of a new short-term rental coordinator position to help carry the load. He said the town should also consider soliciting requests for proposals to bring in a new property management company for town-owned units and a new short-term rental software-licensing partner, as officials said the current provider, Host Compliance, has failed to meet expectations so far.

## **Internet – Newspaper Archives Searches**

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Staff also recommended increasing short-term rental licensing fees, as revenue from the fees aren't currently meeting the costs of administering the program. With regard to reaching longer-term solutions, staff also recommended the creation of a strategic housing plan and coordinating a housing summit with other local governments.

Perhaps the most fundamental recommendation discussed by the council is ensuring there is time during each meeting to have focused conversations about different topics related to housing in order to come up with solutions they can direct staff to pursue.

"To frame what I'm hoping we get out of today and moving forward is ... where we are with housing, what we're up against, some of the ideas around the emergency that's presented to us and how we might be able to start chipping away at some of that," Mayor Hunter Mortensen said. "The first thing I think we can do as a council to successfully really start making some headway is agendizing housing moving forward every meeting we have."

As Frisco officials work through newer ideas, they're also hoping to update some of their previous efforts to get better results. In 2019, the Town Council established the Housing Helps program, which provided financial incentives to homeowners and homebuyers in exchange for placing a deed restriction on the residence requiring occupants to live and work in the area. The town later revised the program to add a 100% area median income limit on the deed restrictions and to cap financial assistance at \$75,000 per unit. Frisco has not received any new deed restrictions through the current program.

At the meeting Tuesday night, the Town Council unanimously approved a resolution to better align their Housing Helps program with the original program, providing more flexibility by removing things like AMI limits, financial assistance caps, price appreciation caps or household size requirements. While the update was passed, another suggestion came out of the meeting: Housing Helps 3.0, a future update to the program that would focus more on actively converting short-term rental properties to long-term rentals.

"It's not necessarily an affordable housing project," Community Development assistant director Bill Gibson said. "This is a 'how do you keep your community and not become a full on, 100% resort' project."

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Summit Daily News (CO)

May 12, 2021

### **Summit towns reassess recruitment for seasonal employees amid workforce shortage**

Author/Byline: Sawyer D'Argonne

Memorial Day is fast approaching, and Summit County's towns are seemingly in a race against the clock to try to fill seasonal staffing positions before the peak tourist season arrives. But with "help wanted" signs still dangling in the windows of restaurants and shops around the county, the towns are finding it difficult to attract enough workers to their summer positions. Frisco officials broached the topic during the town's regular work session discussion Tuesday, May 11, noting that the town has a considerable staffing shortage heading into the summer season. And Frisco isn't the only town struggling to bring in new workers. "We are not the only ones, and we are all sadly battling for a small pool of employees for seasonal operations," Frisco Mayor Hunter Mortensen said.

Frisco's interim Town Manager **Jeff Durbin** said the town is short 50 seasonal employees for jobs with the Frisco Bay Marina, youth camps, special events and the public works department, among others. If the roles aren't filled, Frisco could begin to consider changes to its operations around town, including switching up the level and hours of service, to address the workforce shortage.

**Durbin** said the town's goal is to avoid making any of those tough decisions. The Frisco Town Council gave town staff direction to begin working on raising starting wages for seasonal staff to make the jobs more attractive. Frisco's starting wages for its seasonal positions are in the \$12.50 to \$13.75 range, according to the town's current job listings, though some of the higher-level positions pay up to \$17.32 an hour. "We're having a conversation about changing our recruiting and looking at increasing the starting rate for those seasonal employees so we can be more competitive and have a better chance of filling those positions," **Durbin** said. "... The goal is really to have these positions filled before Memorial Day. We really need to start moving expeditiously to take some new strategies to recruit people."

**Durbin** said Frisco has also thrown around ideas internally like offering hiring or end-of-season bonuses. He said the town is looking at the problem through a more holistic lens, working with business owners to find ways to incentivize employees to come to town and find opportunities with private and public enterprises.

Silverthorne has also struggled to bring on seasonal staff for this summer. Spokesperson Kim Jardim said the town has eight seasonal positions open but has received just one application, adding that the town has even had difficulty finding applicants for full-time positions with benefits. She noted that Silverthorne was also having internal conversations about potential wage increases, hiring bonuses and other solutions. Breckenridge spokesperson Haley Littleton said hiring summer staff has been a challenge on the south side of the county, as well. "The town of Breckenridge hires the most seasonal positions during our summer season, so it is always a challenge to find enough seasonal staff to fill our positions each year," Littleton wrote in an

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email. "We hire seasonal positions at the Breckenridge Golf Course, public works and recreation center, too. This year, however, with the shortage of an available seasonal workforce in Summit County, we feel the strain that all businesses are feeling in finding employees. We are certainly not immune from the effects of this on our staffing needs."

Raising wages could help the issue. Last month, the Dillon Town Council agreed to increase the starting wages for seasonal workers from \$13.50 to \$15 per hour. During a work session last week, Town Manager Nathan Johnson lamented that the increase might not have had as big an impact as expected, with 16 open positions at the Dillon Marina alone.

But those numbers have quickly changed. Kerstin Anderson, Dillon's marketing and communication's director, said Wednesday that of the town's 71 seasonal positions — including the marina, public works and event staff — the town has only five more to fill.

Despite some success of late, Dillon is likely to take other tactics in addition to wage increases to ensure it's able to continue recruiting and retaining employees. Johnson floated some ideas to the Town Council last week, including offering \$100 bonuses for every 160 hours worked, allowing employees to accrue two hours of paid time off for every 30 hours worked, offering paid time off upon hiring and other bonuses that would allow the employees to take advantage of the area's amenities. "We're going to make it work," Anderson said. "... Our seasonal workers are a really important piece of our experience and economy up here, and I think it's time we sort of reevaluate how those employees are compensated. Hopefully, we'll see a change for the better, and hopefully that corresponds to more applicants coming through the door."

While towns around the area try to address the worker shortage in the short term, all agreed that bigger steps would have to be taken in the future to help improve options for employees, particularly in the realm of attainable housing. "It's pretty dire," Jardim said. "... In all sectors — private, nonprofit, municipalities — everyone is hiring and having trouble finding employees. We suspect that has a few causes, certainly the housing crisis. It's always been a bit of a crisis here, but it's certainly risen to a new level with the pandemic and the exodus of people from the cities buying up mountain properties and driving the prices of those properties up. It's been a real challenge for local folks to find housing. Certainly our town staff, staff throughout the county and at the county level are very well aware of that issue and are working hard on finding solutions."

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Sky-Hi News (Granby, CO)

April 28, 2021

### **Frisco names Jeff Durbin interim town manager**

Author: Sawyer D'Argonne

Frisco Town Council officially named **Jeff Durbin** the interim town manager during a regular meeting Tuesday afternoon.

**Durbin** is the former town manager of Fraser, but he stepped down at the end of last year after 20 years with the town to pursue other options. Now, he'll step into the role recently vacated by Nancy Kerry, who announced her resignation as town manager earlier this month with plans to move to Reno, Nevada, to spend more time with her family.

Her departure leaves large shoes to fill. During the meeting Tuesday, business owners from throughout the town tuned in to thank Kerry for the work she's done over the past year to keep the community afloat, and Town Council members took turns lauding her efforts since her arrival. "Today, I'm proud to say that a decision we made will forever be a chapter in the history books of Frisco," Mayor Hunter Mortensen said. "It was when council brought you, Nancy Kerry, to this little mountain town to be our manager. ... I don't know how to truly say 'thank you' for all that you've done. Know that when you roll west out of town and onto your next great adventure, that behind you, you will leave a legacy as inspiring as Peak 1 itself."

The town manager position has seen a fair amount of turnover in the past few years following the retirement in January 2017 of Bill Efting, who served for five years in the role. Efting was replaced by former Aspen Assistant City Manager Randy Ready, who resigned less than two years later in October 2018. Kerry, who served as the city manager for South Lake Tahoe before coming to Frisco, officially took over in January 2019.

The search for Kerry's replacement, at least in an interim capacity, was short lived. **Durbin** applied for the Frisco town manager position in 2016, ultimately losing out to Ready. But he said spending a few extra years in Fraser has helped him prepare for the bigger role. "I was thrilled to get the phone call about whether or not I'd be interested, and I'm really excited by the opportunity," **Durbin** said. "When I talked to Frisco a few years back, it was something I was extremely interested in, and all the same reasons I was interested in it before are the reasons I'm interested today. It's a great community; it's a great organization. There are a lot of new challenges for me, and I actually feel like a few years down the road, I'm probably better prepared for this position than I was four years ago."

**Durbin** said that while some of what he'll be taking on in Frisco will be new, including the marina and Frisco Adventure Park, his experience in the area provides a good working knowledge of the greater problems facing mountain communities, including housing, transportation and economic development. And though Frisco is a bigger community than Fraser, **Durbin** said Frisco's staff offers amazing opportunities. "I think I bring a lot to the table in terms of knowing the players over there in terms of CDOT, the state, the counties, the I-70 Coalition,"

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**Durbin** said. "... The size and scope may be different, but the issues are very similar when you look across all sorts of municipalities. And I think an opportunity for me is having a deeper pool of staff. That's something I'm looking forward to."

**Durbin** grew up in the Detroit area and earned his undergraduate degree at the University of Colorado Boulder. After dabbling in architecture, he said he realized that it wasn't his true passion, and he was instead drawn more into "communities and how people in the built environment interact."

**Durbin** said he later earned a master's degree in urban and regional planning at Michigan State University and worked at the Michigan State Historic Preservation Office for three years before making his way back to Colorado. He began his stint in Fraser as a community development director in 2000 and has worked as the town manager since 2004.

**Durbin** announced his resignation from the Fraser job in November, and he officially stepped down Dec. 31. He said he felt proud of the work he did in Fraser and said he was leaving the town in a strong financial position despite a recession and pandemic. "It's a good time for a change in my career as well as a good time for change with the organization," **Durbin** said about his departure from Fraser. "I'd been the manager there for a long time."

**Durbin** will serve as Frisco's interim town manager under a four-month contract or until the town finds a permanent manager. **Durbin** expressed interest in taking over the position permanently, as well. He'll start May 1, according to his employment agreement.

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Sky-Hi News

November 17, 2020

### **Fraser developments default on agreements**

Author: Sky-Hi News staff report

Fraser is planning to issue default notices to two developments for failing to follow the terms of their annexation agreements. Rendezvous and Grand Park have both defaulted on annexation agreements with the town by missing an Oct. 31 deadline to file paperwork for the agreements, according to the town. The town says Grand Park has yet to file its annual audit for attainable housing in the neighborhood, while Rendezvous needs to dedicate or convey a piece of land, known as 4E, to the town. Both developments have 30 days to rectify the paperwork before the town board can take further action.

Town Manager **Jeff Durbin** said he expects both developments to file their paperwork before the 30 day deadline. If that doesn't happen, the board will look to the annexation agreements' remedies, **Durbin** said. Development in Fraser has been contentious lately, with residents raising concerns about an open space in Grand Park, among other things. The board is expected to vote on whether to issue the default notices at 7 p.m. Wednesday during the regular town hall meeting. The meeting will be streamed on Zoom, with the link at the top of the agenda, for those wanting to participate.

Also on Wednesday's agenda, the board plans to approve its 2021 budget, which looks similar to last year's budget. The town plans to build up its emergency fund in 2021, as well as increase funding for the town's deed restriction program and street improvements.

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Sky-Hi News  
November 5, 2020

### Fraser town manager resigns

Author: McKenna Harford

After 16 years working for Fraser, Town Manager **Jeff Durbin** announced his resignation from the position on Wednesday. **Durbin** didn't comment on why he was leaving the position, just that he had been honored to serve Fraser. "I really appreciate all my time here," he said. In a news release about the resignation, **Durbin** added "Fraser is a special place and the Town of Fraser is a great organization with outstanding employees."

**Durbin** will finish out the year as Fraser's town manager, with his last day being Dec. 31. He will also help the town transition to a new manager. The board of trustees plans to begin the recruitment process for **Durbin**'s replacement immediately. The board accepted **Durbin**'s resignation during an executive session. Mayor Philip Vandernail thanked **Durbin** for his service to the town during the meeting.

Per **Durbin**'s separation agreement with the town, he will receive nine months of his current salary and benefits. Should **Durbin** get employer-sponsored health insurance during those nine months, Fraser would no longer have to provide those benefits. **Durbin** will help advise the new or interim town manager through the nine month period he's receiving pay. The town will also be responsible for any legal fees for **Durbin** if he advises or assists the town with any lawsuits or for any lawsuits against **Durbin** for his time or actions as town manager. **Durbin** has served as town manager since 2004 and prior to that, served as town planner.

Sky-Hi News  
October 8, 2020

### **Fraser voids Elk Creek Meadow easement**

Author: McKenna Harford

A conservation easement filed earlier this year that raised questions about the future of Cozens and Elk Creek Meadows in Fraser has been declared null and void by the town. On Wednesday, Fraser Town Board continued the public discussion about the Cozens and Elk Creek Meadows in the Grand Park neighborhood that started last month after homeowners became aware of a new conservation easement for a portion of the land. The easement, signed by Mayor Philip Vandernail in March, states that a 17.7 acre portion of the meadow will be put into a conservation easement in “full satisfaction” of the development agreement with the town.

According to Town Manager **Jeff Durbin**, he had been negotiating with Grand Park over the easement since 2015, when final plats within Grand Park were approved on the condition that the town manager and the town attorney negotiate the final terms of the conservation easement. This year, **Durbin** presented the mayor with an easement for Elk Creek Meadow. “In early 2020, it was clear we were in a deadlock over disputed language,” **Durbin** said Wednesday. “In hindsight now, this was the wrong decision, but given the deadlock on the language and the zoning regulations we have to protect the open spaces, I felt moving forward was better than continuing disputes, so I asked the mayor to execute the conservation easement for Elk Creek Meadow in March.”

However, the town attorney did not approve the final language of the easement, and **Durbin** said the easement changed between when he first read it and when the mayor signed it. “Further, there was additional language added to the draft that I was provided in advance of asking the mayor to execute that I did not note at the time,” **Durbin** said. Grand Park developer Clark Lipscomb didn’t respond to requests for comment Thursday morning. Fraser’s attorney Rod McGowan told the board that because the easement wasn’t approved as specified, they could declare the document invalid. “Quite frankly, I would not have approved it,” McGowan said.

Vandernail said he believed the easement would protect the meadow and added he wouldn’t have signed it if he knew the language had changed or that the attorney hadn’t approved it. “The mayor has to trust the staff, and in this instance, that trust was broken with incomplete information,” Vandernail said. Gathered homeowners encouraged the board to approve the resolution declaring the easement invalid but said this is only the first step in protecting the meadows. “We’re requesting the town hire a highly qualified land-use attorney to work in conjunction with the Army Corps of Engineers to draft a replacement conservation easement for the 466 acres,” said Peggy Smith, former mayor of Fraser and current resident. “This agreement would prohibit livestock raising, provide for public access to areas not deemed sensitive by the Army Corps of Engineers, make the town responsible for grooming and trail maintenance ... and work with the developer to design an interconnecting trail system.”

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Public access to the meadow came up repeatedly during comments. However, **Durbin** said though the original documents for the neighborhood required the meadows to be open space, they do not have language requiring the land be open to the public. Many comments also included concerns about the herd of cattle that was moved into the meadow earlier this year. Currently, the town doesn't have regulations regarding cows, though Trustee Andy Miller expressed a desire to change that.

After a full hour of public comments, the board approved the resolution declaring the easement null and void with six members approving and one abstaining. **Durbin** said the town will notify Grand Park of the decision and the next steps will be determined based in part on the response. He added that the Army Corps of Engineers is involved and may also determine next steps. Ben Wilson, a project manager for the Army Corps of Engineers, said they are aware of a potential issue and are looking into it.

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Sky-Hi News

July 2, 2020

### **Fraser commits to mask mandate**

Author: McKenna Harford

In response to seeing mixed mask usage in town, Fraser plans to sign an emergency ordinance on Tuesday to mandate mask wearing at public places. During a discussion about sending a letter of support to the county for increased public health capacity on Wednesday, the Fraser Town Board took coronavirus precautions a step further by committing to sign an ordinance that would likely mandate masks in indoor public places and outdoors when social distancing can't be followed. "I'm for it," Mayor Philip Vandernail said. "I get asked almost daily, as the mayor, about (mask usage)."

A special meeting is scheduled for 11 a.m. Tuesday and the ordinance would take effect immediately upon being signed. On Thursday, the ordinance hadn't yet been written. Town Manager **Jeff Durbin** and other board members all spoke about local businesses and employees who raised concerns with them about enforcing mask usage in their businesses. "I'm hearing from some of our business employees at Safeway, Murdoch's, that employees would like it to be across the board so it's easy for them to deal with," **Durbin** said.

Board members agreed it would help if the town backed a mandate that everyone would have to follow. "At least the store can say it's required by us and gives them the authority to pass it off on the town," Trustee Andy Miller said. "It gives them something to fall back on." However, enforcement of the mandate raised questions, especially if it were to only be a rule within town limits.

In an effort to make the mandate more successful, board members supported the idea of including the town's mask mandate in its letter to the county so that the county or other towns might follow. "The thought is, let's see if the county will do it," **Durbin** said. "If it's countywide, it will be easier for everyone to understand." **Durbin** told the board he'd also reach out to Winter Park to see if the town wanted to collaborate on the mandate so it would be the same across the Fraser Valley.

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Sky-Hi News

June 7, 2020

### Fraser plans over \$775,000 in paving projects

Author: McKenna Harford

Fraser approved over \$775,000 in asphalt paving for three roads on Wednesday in a cost-sharing agreement with Grand County with the hope of completing the projects this year. Portions of three roads, County Roads 72 and 8, as well as Eisenhower Drive, were identified for asphalt replacement by the town due to failing pavement. Originally, the projects were bid by Grand County with the understanding that the cost would be split based on average daily traffic counts. However, the traffic count for CR 72 that the county proposed using, which outlined a 20% cost share for the county, took place during the state's Stay at Home Order, so Town Manager **Jeff Durbin** suggested a new traffic count be conducted. "There was nobody open in May is the problem," **Durbin** explained.

The Fraser board agreed with **Durbin** that a new traffic count would be best and Commissioner Rich Cimino, who appeared at the town hall meeting, said the Board of County Commissioners was willing to start a new traffic count as soon as possible. The town and the county will split the cost of work on CR 8 at 40% and 60% respectively, while the work on Eisenhower drive will be 100% Fraser's cost. Fraser's board also agreed to use the bid Grand County received, which outlines \$776,814 for the scope of the three projects.

Fraser will contract the work and Grand County will reimburse the town its share. "We don't have time to go back and rebid this ... and this was a competitive bid," **Durbin** said. "The roads are in really bad shape, so we've got to do something about them." The projects include paving CR 8 from the new bridge to US Highway 40, the intersection of Highway 40 and Eisenhower Drive and CR 72 from Highway 40 to Johns Drive. **Durbin** said the goal is to get started paving as soon as possible.

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Sky-Hi News  
January 16, 2020

### Fraser rolls out deed restriction program aimed at increasing workforce housing

Author: McKenna Harford

Fraser is finalizing a workforce housing initiative it's been working on for over a year and hopes to have applications available soon. At the town's Jan. 8 Board of Trustees meeting, Town Manager **Jeff Durbin** updated the board on the Fraser Deed Restriction program, which is a workforce housing initiative modeled after Vail's InDeed program. "We've made a lot of progress recently and there are at least two banks who will participate with us on this program," **Durbin** said.

The deed restriction program would allow Fraser to offer private property owners money in exchange for restricting the sale of the property in perpetuity to only people who work in the community full-time. Currently, the town has \$500,000 in its budget for purchasing deed restrictions. Like the InDeed program, the Fraser Deed Restriction program would not put a cap on the price that the house can be sold nor is there an income requirement, but it would limit who the house could be sold to, which **Durbin** explained will naturally regulate the price.

"They can sell their property for whatever they can get, but they can only sell it to someone who will live and work here or rent it to someone who will live and work here, so they couldn't sell it as a second-home, which will affect the market of the property over time," he said. "A willing seller plus a willing buyer equals the purchase price."

Board members also discussed eligibility for the program and created a consensus that the program should serve people living and working in the Fraser Valley, since many employees in town live in Winter Park or Tabernash. Exact boundaries have not yet been established, but trustees felt using the town boundaries would be too restrictive. "You're going to exclude everything up on Meadow Ridge, the new Byers Peak (development), places where employees live today and might want to buy their homes today," said Trustee Ryan Barwick. "It's a community problem, and by that I mean the valley, and restricting the program to town only gets a segment of the problem."

The board agreed that the Economic Development Advisory Committee, minus any elected officials serving on the board, will act as the Fraser Housing Authority, which will review any applications and determine if they are appropriate for the program. Once the housing authority makes the determination that a property would be a good add to the program, the application will need to be approved by the town board. **Durbin** noted the town continues to work with Winter Park on the program so deed restrictions would remain consistent throughout the valley. Interested parties should reach out to **Durbin** or Town Clerk Antoinette McVeigh at 970-726-5491.

In other business...

## Internet – Newspaper Archives Searches

**Jeffrey L. Durbin**

*(Articles are in reverse chronological order)*

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- Mayor Philip Vandernail and **Durbin** apologized to the community for some issues with operations at The Drop that occurred over the holidays. The timing of The Drop's regular hours coincided with holidays, which meant the trash and recycling facility was closed at inconvenient times and led to the facility quickly reaching capacity once it did open. Both Vandernail and **Durbin** said the town can and will do better.
- The board approved a change to the town's sign code that allows retailers to use the word cannabis in their signs. The change came after Rocky Mountain Cannabis asked the town to reconsider the code so the dispensary could use its full name on the sign outside the shop.
- In an effort to protect and maintain Fraser's wastewater system, the board approved a \$70,000 master plan for the wastewater system that will map out all of the town's pipes and note problem areas.

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Sky-Hi News  
November 22, 2019

### **Fraser’s proposed budget invests in infrastructure for 2020**

Author: McKenna Harford

At its meeting on Wednesday, the town board discussed the proposed 2020 budget and how best to balance building up the town’s reserves with paying for new infrastructure projects. “I mean this is a good problem,” Trustee Ryan Barwick said. “It means we have money to work with and we just have to decide what to do with it.” Some of the larger investments the town is planning include \$925,000 for water projects, such as replacing old lines and installing new equipment, and \$1.2 million for improvements to the wastewater system.

Town Manager **Jeff Durbin** noted investing in repairs and updates next year will likely keep the town from having to pay larger costs in the future. “If we don’t continue the progress here, we’re going to have some serious expenses and real problems at the wastewater plant,” **Durbin** said. “We have expensive infrastructure and we need to be thinking about the future.”

Another \$1 million in the proposed budget has been dedicated to street improvement projects, including paving on County Road 8 and County Road 72, as well as Eisenhower Drive. The town does not expect to be on the hook for the full cost of paving the two county roads, thanks to contributions from the county. “It sounds like that’s what we’ve got to do,” Trustee Andy Miller said of the budget allocation.

Aside from infrastructure, two major projects Fraser plans to finance next year include \$500,000 to support affordable housing and around \$1.2 million for the Fraser River Corridor Master Plan project. The town also anticipates receiving grants from several entities that will cover almost three-fourths of the river corridor project. Council members agreed the town likely wouldn’t move forward on the work without the grants.

The budget also outlines \$260,000 in capital equipment, \$60,000 for the Public Arts Committee and \$40,000 to study a whistle-less railroad crossing at Eisenhower Drive. A final budget hearing and adoption is scheduled for Dec. 4.

Sky-Hi News

November 17, 2019

### **Lawsuit against Fraser dropped after town changes sign code**

Author: McKenna Harford

Following the approval of changes to Fraser’s sign code by the town board of trustees in September, the American Civil Liberties Union has dropped its lawsuit against the town. In July, the ACLU announced it was suing the town of Fraser on behalf of two residents, Melinda McWilliams and Alan Jensen, claiming the sign code violated their First Amendment rights with content-based restrictions for yard signs.

However, the town board amended the sign code in response to the lawsuit. In a news release from the town, Sarah Wieck, marketing director for Fraser, said the issues stemmed from the town’s mural program and its support for creative expression. “The town sign code’s definition of a sign versus a work of art was problematic in light of the Reed vs Gilbert requirement that sign regulations be ‘content neutral,’” Wieck said. “Fraser recently amended its sign code to remedy these challenges and hopes it provides a model for other communities.”

The dispute began in 2016 when Jensen and McWilliams posted two-sided displays in their yard with messages about U.S. President Donald Trump and calling for action on global warming. Ultimately, McWilliams and Jensen posted eight signs in Jensen’s yard, which stayed up until September 2018 when they received a letter from the town telling them to remove the signs or face prosecution for violating the sign code.

At the time, the code required signs in town be permitted and meet specific size, location and safety guidelines, as well as having residents pay a fee for each permit. Yard signs were restricted to one sign per lot and not to exceed 6 square feet. The ACLU argued that the code “imposes drastic and unjustifiable limits on residents’ rights to express their views with messages posted on their own property,” and claimed the regulations were content-based, which violates the First Amendment and the recent U.S. Supreme Court ruling Reed v. Gilbert.

The new code allows residents up to four 8-square-foot yard signs per residential lot with a maximum height of 5 feet, 6 inches. The town also updated its definition of a wall sign, allowing unlimited art on residential walls, as long as it is no higher than the eave or parapet line. It also clarified that signs in residential zoning do not need a permit.

Mark Silverstein, legal director for the ACLU and attorney on the case, was not available for comment Sunday afternoon. Fraser Town Manager **Jeff Durbin** said he ultimately felt optimistic about the conclusion of the lawsuit. “While it was unfortunate that this resulted in litigation, I think this is a good resolution for the community,” **Durbin** said.

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Winter Park Times

August 1, 2019

### Locals file suit to preserve protected speech

Author: Casey Malon

On July 25, Fraser residents, Alan Jensen and Melinda McWilliams filed suit against the Town of Fraser in US District Court. The suit was prepared by attorneys Christopher M Jackson and Alyssa L Levy, of Sherman & Howard LLC and submitted in cooperation with the ACLU Foundation of Colorado. American Civil Liberties Union Foundation of Colorado attorneys, Mark Silverstein and Sara Neel are included in the 18 page submittal. In January 2017, Jensen erected communicative displays on a flag pole in his yard that protested the election of President Donald Trump and called for action on global warming. Over the following year and a half, he added more displays, until there were eight politically-expressive two-sided displays on his property. The five large displays—“Save our planet,” “Trump sucks,” “Make America smart again!”, “Impeach the Putin puppet,” and “Gotta vote”—were painted on hollow-core doors that were 2’4” or 2’6” by 6’8”. The ‘Toxic Trump’ display was 30” by 53”. The “Fraser River too” and “The Lying” displays were significantly smaller.

The filing states that in September 2018, Jensen received a letter from Fraser town manager, **Jeff Durbin**, stating that Mr. Jensen had violated Chapter 19, Article 6, Sections 19-6-250 and 19-6-310 of the Town’s municipal code by erecting the signs and that the Town was taking action after receiving what it characterized as “multiple complaints.” The letter demanded that Jensen provide a “satisfactory response” within one week or face prosecution by the Fraser/Winter Park Police Department. 23. The filing states this was the first time Jensen or McWilliams had been contacted by the town regarding their displays.

On October 26, 2018, Jensen and McWilliams met with the town manager, town planner and assistant town manager. Mr. Jensen and Ms. McWilliams stated that they believed the displays met the Code’s definition of “works of art” and were therefore exempt from regulation. The filing states Town Manager **Jeff Durbin** conceded that their “Toxic Trump” sign might be a “work of art,” but maintained that the other displays violated the Code. He told Mr. Jensen and Ms. McWilliams that if Mr. Jensen did not comply with the letter, the Town would issue a citation. A follow-up meeting was set for November 12, 2018.

At the meeting on November 12th, Jensen and McWilliams again met with the Town Manager, Town Planner and Assistant Town Manager. Ms. McWilliams stated that Mr. Jensen and she would remove the displays, “under threat of prosecution”, and that she would work with Mr. Jensen to convert the displays into artworks that the Town would consider “works of art.” Jensen and McWilliams showed Town Manager **Durbin** four conceptual sketches of the works they intended to post (“Proposed Works”): McWilliams had designed and drawn the four sketches submitted. According to the filing, the town manager told Jensen and McWilliams, they could not post the proposed works because they “will just attract more attention.” Ms. McWilliams then said that she thought “the Town’s actions implicated the First Amendment” to which the town manager replied, “if they were going there, the meeting is over.” The town manager

## Internet – Newspaper Archives Searches

**Jeffrey L. Durbin**

*(Articles are in reverse chronological order)*

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requested Jensen and McWilliams submit a letter detailing their concerns by Friday, November 16. On November 16, Jensen and McWilliams submitted a letter in response to town manager **Durbin**'s actions at the November 12 meeting. The letter discussed why the original displays and the Proposed Works were "works of art" under the Code and were protected expression under the First Amendment. The letter also identified other properties with similar pieces that the Town apparently regarded as "works of art", because otherwise they violate the Code's size, number, and placement restrictions on "signs." Finally, the letter noted that Jensen had removed the original displays from the flagpole "due to the Town's threats of prosecution" and had erected the original 'Toxic Trump' display on his shed wall as a "work of art."

In response, Jensen received a letter from the town manager **Durbin**, dated November 26, 2018, stating that he disagreed that Jensen's original displays constituted "works of art," but that Jensen had corrected the Code violation by removing all of the signs from the flagpole. Manager **Durbin** also said that the 'Toxic Trump' sign was a "wall sign," not a "work of art," but stated that the letter would serve as a permit for the sign. The grounds of the lawsuit state that Jensen and McWilliams want to post the three remaining Proposed Works that they showed the town manager as conceptual sketches at the November 12 meeting, on Jensen's shed wall. However, the document states, they have refrained from posting the Proposed Works because of Mr. **Durbin**'s position at the November 12 meeting and in the subsequent November 26 letter that the works were actually "wall signs," not "works of art," and therefore posting them would exceed the limit on "wall signs" and violate the Code.

The lawsuit cites a number of claims of unconstitutionality as it pertains to freedom of speech and expression, exempting certain types of expression from regulation based on the content. "Even if the Code were content-neutral, it is not narrowly tailored to advance any possible legitimate interest of the Town. The Code is hopelessly underinclusive, restricting certain signs while not regulating others that would presumably pose similar harms." It goes on to say "Without any justification, the Code chills peaceful political expression that is squarely protected by the First Amendment and article II, section 10 of the Colorado Constitution." Jensen and McWilliams are seeking a preliminary and permanent injunction enjoining Fraser from (1) enforcing Fraser Municipal Code Chapter 19, Article 6 and (2) targeting political speech for increased regulation by changing its classification; a declaratory judgment that the challenged provisions of the Code, on their face and as the Town has been interpreting and enforcing them, violate the First Amendment; the Fourteenth Amendment; and article II, sections 10 and 25 of the Colorado Constitution; Nominal damages under 42 U.S.C. § 1983; an award of Plaintiffs' costs and reasonable attorney's fees; and such additional relief as the Court may deem just.

To read the full submittal, visit the article at [winterparktimes.com](http://winterparktimes.com).

On the afternoon of July 25th, a statement was released by town manager **Jeff Durbin**. "The Town of Fraser respects First Amendment freedom of speech rights. In fact, in 2018 the Town of Fraser rewrote the sign code to avoid any infringement on freedom of speech. We were just notified in regard to this lawsuit. We take this matter seriously and are currently reviewing the complaint. We have no further comment at this time."

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Sky-Hi News

April 2, 2019

### **Town of Fraser, retailers adjust to new 20-cent disposable bag fee**

Author: McKenna Harford

After several years of discussion, the town of Fraser's single-use bag fee finally went into effect Monday. Per the ordinance passed by the town last year, retail businesses must charge 20 cents per single-use bag, with some exceptions, such as produce or pharmacy bags. Any funds collected from the fee will be split between the town and retailers and must be used to pay for the costs of implementing the program or to support further sustainability measures.

In preparation for the change, several local businesses and the town placed signage prominently on doors and in parking lots, as well as provided a cache of reusable bags for customers. **Jeff Durbin**, town manager for Fraser, said the town had ordered signage and 3,000 reusable bags with the town logo and The Drop logo to give out to businesses and individuals for free to help get ahead of the new fee. "We've really appreciated (local businesses') support in implementing this," **Durbin** said. "One of the things we've tried to do is give the businesses as much information and resources as we can to help them tell the story that this is the town of Fraser doing it, not them."

Town staff set up a booth inside of Safeway on Monday afternoon to give out the free bags and inform passersby about the new fee. Kris Staaf, a spokesperson for Safeway, said the store appreciated the outreach and education the town is doing because that has proved to make the transition successful for other Safeway locations, such as in Boulder and Vail. "We're in the business of satisfying and providing for our customers and if this is something that the community in Fraser wants then certainly we're going to get behind it and make sure it's a smooth transition for everyone," she said.

Since the store already offered a variety of reusable bags ranging in price from 99 cents to \$4, Staaf said they are expecting a smooth transition. "I think customers, once they kind of get into the swing of things, it's pretty much business as usual," she said. "I think the bags have come a long way." Co-owner of Fraser Valley Ace Hardware Jenny Harris said she ordered about 750 reusable bags with the Ace Hardware logo on them to provide for free in an effort to make the change as easy as possible for customers.

Harris said the store saw a mixed response to the bag fee on Monday, with some customers aware of the change and others not, but overall hadn't had any trouble. "So far, that I've seen, it seems like everybody has been ok with it," she said. "There aren't that many tourists here right now and that makes a difference." Harris added that she had already seen customers opt out of getting a single-use bag due to the fee and had only sold one single-use bag.

The fee was identified as a priority in the town's 2016 Waste Diversion Study and its sustainability goals as a way to help reduce the pollution from single-use bags, **Durbin** explained. He said the goal was to hopefully encourage residents and guests to change their habits when it

## Internet – Newspaper Archives Searches

**Jeffrey L. Durbin**

*(Articles are in reverse chronological order)*

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comes to single-use bags. "When I go to Safeway and go around town, I see a lot more people already, over the past couple of months, with reusable bags, so I think a lot of people have already adjusted," **Durbin** said. Town staff will be back at Safeway at 4 p.m. to 6 p.m. Friday to continue handing out reusable bags and spreading the word on the new fee.

Sky-Hi News  
March 22, 2019

### **Fraser moving forward on Lions Ponds improvements**

Author: McKenna Harford

Fraser is hoping to build on its progress in implementing the Fraser River Corridor Master Plan by continuing to upgrade the area around the Lions Ponds this year. The Fraser Board of Trustees received an update on the design plans for the Cozens Ranch Open Space, located on the east side of Highway 40, during their regular meeting on Wednesday night. **Jeff Durbin**, Fraser town manager, said the goal is to encourage more people to take advantage of the Lions Ponds space.

“The focus of this work is what are we doing around the Lions Ponds to really activate that space because that’s where it’s going to take a lot of work and that’s where most of the dollars that we talk about in the plan land,” **Durbin** said. Plans for this year include planting more trees in the area, moving large rocks closer to the pond for natural seating, moving the existing “Ike” sculpture to a new location and moving a sno-cat to the entrance of the area on the Highway 40 frontage road.

Fraser is also hoping to build a natural earth embankment for the future outdoor classroom next to Lions Pond and, if funding allows, installing the necessary utilities for the proposed public restroom. “What we’re working on in the moment is engineering, how do we get sewer service over to (the restrooms), a water line, what that route would look like, feasibility and cost,” **Durbin** said. The approved budget for this year’s work is \$250,000 and the town expects the work to start and finish this summer.

Other ideas for the Lions Pond area include natural play areas, an outdoor classroom, restrooms and shade structures, as well as expansions of the trail system and increased access to the Fraser River. **Durbin** explained that the work planned for this year will put the town in a good position when applying for grants to do some of the larger projects, such as building public restrooms.

The estimated cost of a public restroom with four stalls and a storage space is over \$256,000, not including utilities. “The goal is submitting a big fat grant application this fall (...) towards a large project next summer,” he said. The Fraser River Corridor Master Plan ultimately outlines \$6.5 million in work to the Cozens Ranch Open Space. Last year, Fraser kicked off the master plan with a pilot project to reconstruct the trails and plant trees in the Lions Pond area.

Sky-Hi News  
February 28, 2019

### **Fraser increases water rates to encourage conservation**

Author: McKenna Harford

In an effort to encourage water conservation, the town of Fraser is increasing its residential water consumption rates for higher users through a three tier structure. Beginning April 1, the residential water rates will be \$1.50 per 1,000 gallons for up to 12,000 gallons; \$3 per 1,000 gallons for 12,001 to 20,000 gallons; and \$6 per 1,000 gallons for over 20,000 gallons. The base rate of \$153 per quarter per single-family equivalent and commercial consumption rates will remain the same.

Fraser Town Manager **Jeff Durbin** said around 75 percent of customers use less than 15,000 gallons per quarter, so many customers won't see a rate change. Previously, the residential consumption rate was \$1.50 per 1,000 gallons regardless of the amount used. "If you're not a heavy water user, you won't see an impact to your bill, but if you're a heavy water user you'll see more of an impact to your bill," **Durbin** said. The town estimated the rate change will generate around \$15,000 in revenue for the water fund. However, **Durbin** said the rate change would ideally not generate revenue at all. "This definitely wasn't about increasing revenues for operations, all this was about is conservation," he said. "I think the goal is that heavier water users rethink how they use water and then there would be really no net increase in our water revenues."

The rate structure was decided on by the town's water and wastewater committee, but had been presented to the Board of Trustees with a \$4.50 rate per 1,000 gallons for over 20,000 gallons. **Durbin** said the board increased that rate to \$6.00 to show how important water conservation is to the community. "We've had a lot of dry years, our system is growing, we're having more customers, it's the same conversation every Colorado community has about water conservation and the importance of a reliable, sustainable supply," **Durbin** said. The rate change joins other measures taken by the town to reduce water consumption and waste, including education, imposing watering restrictions, utilizing irrigation best practices and reducing loss at the water plant.

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Sky-Hi News  
January 25, 2019

### **Questions surround enforcement of trail funding cap**

Author: McKenna Harford

A piece of the county resolution that led to the creation of the widely-supported Open Lands, Rivers and Trails fund is at the center of discussions regarding how the money should be used. At a county workshop on Tuesday, scheduled to discuss how Open Lands, Rivers and Trails money should be distributed, the Grand County Board of Commissioners and attendees briefly discussed the fund's 15 percent cap for trail projects. The cap has come under question because the 15 percent limit was not included in the ballot language or the Blue Book, meaning voters may have been unaware of the restriction on trails funding, but it continues to be enforced when distributing money.

“The reason it keeps coming up is because there's such uncertainty about it,” said Meara McQuain, executive director of Headwaters Trails Alliance. “From our organization's perspective and from the public perspective, I think it would be helpful to have an answer, whether that's a third opinion or a (declaratory judgement), that would just put the matter to rest. We just want to do what's right.”

The Open Lands, Rivers and Trails fund, which was created through the passage of ballot measure 1A in 2016, generates money through a .3 percent county sales tax for the protection, conservation and acquisition of lands and rivers, as well as trail maintenance. According to the county resolution language, entities can request funding for trail maintenance, “though no more than 15 percent of the funds for the competitive grant awards may be utilized for this purpose.”

Grand County Commissioner Rich Cimino said that language was included in the resolution based on surveying done by the Headwaters Land Trust that showed county resident support for limiting funds to trails. “The two reasons is that polling showed the cap was favored by a portion of the county and also the rationale that all of the money would go to trails somehow if not capped somehow, so I think that's why the cap was there,” he explained. However, the ballot measure voters saw in November 2016 did not include any language regarding a limit on trail funding. Because of this, the legality of enforcing the cap remains unclear.

Cimino said that county attorneys, present and former, believe that because of election law and Colorado's Taxpayer Bill of Rights, or TABOR, the county must enforce the cap or risk threatening a lawsuit. “Our attorney said the district attorney can bring charges against us if we (ignore the cap) and that may be a stretch, but I think he's right,” he said. Maxine LaBarre-Krostue, interim attorney for the county, declined to comment on the county's legal opinion regarding the 15 percent cap.

Others disagree with the county's interpretation. The town of Fraser sought a legal opinion on the 15 percent cap to get clarity on the situation since it partners closely with both the county and the Headwaters Trails Alliance, the county's only trail maintenance organization, according to

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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town manager **Jeff Durbin**. “There were a lot of people talking about their personal opinions and philosophical goals and differences, but really it comes down to what does the law provide as far as what’s right or wrong on this so that’s why we sought the legal opinion,” **Durbin** said. The legal opinion sought by Fraser, which was given by Paul Wisor, a lawyer with expertise in public finance and municipal law, argues that the enforcement of the cap renders the ballot measure misleading because it wasn’t included in the ballot language. It also argues that the County Commissioners could legally amend or ignore the cap when distributing funds.

**Durbin** said the town doesn’t have a formal position on the cap, but just hoped that having a legal opinion would help move conversations along. “We’ll continue to engage in the conversations, but where it goes and what the town’s ultimate position is, remains to be determined,” he said. Unfortunately, one of the potential consequences of legal questions is they could invalidate the tax and lead to the elimination of the fund, which would be detrimental to the organizations it supports, as well as the county, which benefits from the projects done with the money.

McQuain said the Headwaters Trails Alliance has benefitted from the access to extra funding through the tax, but the cap and the differing legal opinions on it have caused confusion. Regardless of whether the cap changes, is removed or remains, Maire Sullivan, a Headwaters Trails Alliance employee, explained that getting clarity on the cap will help the organization have a better understanding of how much money is available and how much time they should dedicate to going after funds. “It seems to me like if there was some sort of (declaratory judgement) of the opinions by a neutral third party or however the process works, it would benefit everybody,” Sullivan said. “It would allow all of us to move on from there.”

Cimino said it would likely take another ballot measure to change or remove the cap since, with the current legal advice given to the county commissioners, the board plans to continue enforcing the 15 percent cap. “I do not see this board trying to be radical and just ignore the cap anytime in the next two years,” he said. “I think the only way for that cap to be moved or adjusted or removed is with a new ballot question that has to pass by the voters.”

**Internet – Newspaper Archives Searches**

**Jeffrey L. Durbin**

*(Articles are in reverse chronological order)*

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Sky-Hi News

November 8, 2018

**Fraser begins 2019 budget talks, identifies potential investments**

Author: McKenna Harford

Fraser is considering investing in a wide range of projects for the upcoming year, including expanding public arts programs, public works improvements and a potential housing program. The Fraser Board of Trustees kicked off budget talks for 2019 at their Wednesday night meeting where a preliminary budget and several investment ideas were presented. As this was the first public hearing for the 2019 budget, no decisions have been made. "The budget message (...) is a message to the community about what the board sees as important for the year, what kind of projects and programs they're hoping to accomplish, it's the board's direction to staff to go make those types of things happen," said Fraser town manager **Jeff Durbin**.

Many of the proposed investments are public works improvements, including improvements to the County Road 8 bridge and pavement, implementing crosswalk lighting improvements, irrigation repairs and pavement and concrete maintenance. The town is also considering a new public works facility, since the department has outgrown their current space. The draft budget includes \$75,000 to design the facility. The draft budget also includes \$500,000 for public housing, which could involve a deed restriction purchase program, similar to Vail's INDEED program.

A few of the proposed investments are related to Public Arts Committee projects, like expanding the revolving sculpture program or sponsoring a mural festival. The committee proposed a \$75,000 total budget to continue existing programs and expand others. "It's aggressive, but there are some really neat things in here," **Durbin** said.

Other, smaller suggested investments include air conditioning for the Town Hall, a conceptual design for a whistle-less train crossing at Eisenhower Drive and funds for further implementation of the Fraser River Corridor Master Plan. The Board of Trustees continued the discussion to the Nov. 28 meeting, where they will start to make decisions on what investments to include in the final budget. The final public hearing for the 2019 budget will be Dec. 5. "I think it's important for the community to know the town of Fraser is in a good financial position," **Durbin** said. "We've been planning for these big projects and we're using savings for these projects."

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Sky-Hi News

June 29, 2018

### **The Drop, Fraser’s new pay-as-you-throw facility, to open July 7**

Author: Bryce Martin

Fraser took another step towards sustainability Wednesday with the debut of its pay-as-you-throw garbage and recycling facility, named The Drop, which officially opens to the public July 7. The new \$250,000 facility, made possible in part because of a \$200,000 grant from the Colorado Department of Public Health and Environment, has been in the works for years, according to Fraser Town Manager **Jeff Durbin**. Town officials were determined to establish such a facility especially after an initial waste diversion study in 2013 identified the need for such a location.

But Fraser Mayor Philip Vandernail says the road leading to Wednesday’s ribbon cutting at the facility wasn’t easy. “It’s been a long time coming,” Vandernail told Sky-Hi News. “But we were told it couldn’t be done.” Vandernail said some balked at the notion of creating a pay-as-you-throw site in Fraser, claiming it wouldn’t be economically feasible. Vandernail and his town board believed otherwise, as did various other local and state entities that supported the project.

Along with addressing a major town need, the project is also meant to help Fraser become more environmentally sustainable. “Studies have shown that based on current pay-as-you-throw programs across the United States that this could result in a 10 to 20 percent reduction in waste going into a landfill,” said Michael Brack, assistant town manager. “Then you take that along with the 25 percent of people who aren’t recycling right now and that’s a lot of waste that’s not going to a landfill.”

Waste Management will be in charge of managing drivers and hauling from the facility through a partnership with the town of Fraser, according to Danny Ashinhurst, site manager for Waste Management in Hot Sulphur Springs. With 30 yards of available dumpster space currently at the facility, Ashinhurst said the belief is that they’ll eventually need to expand to include more dumpsters, depending on its use. The facility puts Waste Management in a unique position as, according to **Durbin**, it’s cheaper on average to use the pay-as-you-throw facility than to use Waste Management’s personal dumpster service, which many people already do in the Fraser Valley. So, in essence, they’re competing with themselves.

Other pay-as-you-throw facilities exist around the county, but have their drawbacks. At Grand Lake’s location, which charges \$5 per bag, there is no recycling available. And Granby’s pay-as-you-throw facility, located to the west of Ace Hardware, has limited hours of operation. Fraser prides itself on developing a functional, large-scale facility to serve customers from around Grand County, for both refuse and recycling, open from 10 a.m. to 7 p.m. Wednesdays, Saturdays and Sundays.

To use the facility is simple. A person will purchase 40-gallon bags — sold exclusively at Safeway in Fraser for the time being — at \$8.50 each, load them up with refuse and transport

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**Jeffrey L. Durbin**

*(Articles are in reverse chronological order)*

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them to the facility, located on County Road 72 just south of the railroad bridge behind the Fraser Valley Shopping Center. For large items such as furniture, **Durbin** said the goal is to have a dedicated space inside the facility where people can drop those, perhaps during something like a community clean-up period. The Drop is lighted during its hours of operation and uses security cameras equipped with night vision to ensure nobody is using the facility outside of normal operation or leaving items outside the facility's entrance, which is illegal. Tall fences around the facility help ensure no wildlife gains access.

While the recycling component at The Drop is free, the town is banking on customers to use the pay-as-you-throw dumpsters that will contribute to revenues for the facility. **Durbin** said it will cost around \$100,000 per year to maintain the facility and have on-site personnel. The facility is such an important asset to the town and in helping meet its sustainability goals that officials are attempting to reroute the portion of County Road 72 that passes in front of the facility because of its steep grade. The hope, if the \$320,000 in construction costs can be obtained, is to route the road around to the east side of the facility. If the funds are available, **Durbin** said he expects the road work to be completed in the fall.

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Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Winter Park Times

April 5, 2018

### **The World is Flawed**

Author: Marissa Lorenz

Violence in the public sphere is a topic of discussion that seems to be increasingly brought to the fore, from the national level all the way down to the local level. In just these first few months of 2018, Americans have faced such issues as the recent serial bomber who detonated five bombs in Austin, Texas this month and the 17 shootings that have taken place in US schools in the past 11 weeks. In that same time in Grand County, citizens have seen the then-town manager of Winter Park facing criminal charges, including felony menacing, domestic violence, prohibited use of deadly weapons, and reckless endangerment, and have participated in discussion around a candidate for Kremmling Town Council who has numerous felony convictions, including one whose underlying factual basis of sexual assault requires that he still be registered as a sex offender today.

But what is the community expectation around violence in the public sector? What is the expected public response when violence is committed by a public servant or in a public space? What policies and procedures are in place to protect our local citizens and our public servants? And what can be done to increase preparedness and prevention in our community? — These are questions that have neither easy nor definitive answers, but ones that are being explored through conversations in our county and beyond.

#### Policy and Procedure

The Towns of Fraser, Grand Lake, Granby, Kremmling, and Hot Sulphur Springs confirm that they have policies in their personnel manuals intended to address violence in the workplace and employee safety. The Workplace Violence policy of Fraser states, for instance, that “The Town of Fraser will not tolerate threatening, intimidating, or hostile behavior; verbal or physical abuse; weapons possession or use while on duty or on Town property by any employee who is not a sworn police officer.” The policy continues to define prohibited violent behaviors and states that any instance of imminent danger will result in police department involvement. Similar policies exist in the other responding towns.

These policies, however, are specific to personnel issues and do not directly address potential behavior of employees outside of the workplace itself. Winter Park, for example, did not take direct action to remove their employee after he was arrested on multiple violent offenses outside of work. The employee was the one who tendered his resignation nearly three weeks after his arrest. This may indicate a lack of clear policy in handling these issues, though Interim Winter Park Town Manager Stan Zemler did not respond to request to comment on policy and procedure before this story went to press.

The town managers of both Fraser and Kremmling addressed this, each indicating the difficulty of direct action when circumstances can vary widely. **Jeff Durbin**, Town Manager of Fraser, stated that, “especially when it’s a manager or CEO-type position, it becomes a cultural thing

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and inaction can send a message to other employees that it's okay." However, he indicated a sensitivity to substance or mental health issues that may "require treatment or support" before possible termination. But he also indicated that the Town has an expectation "of public servants to be public servants and behave in appropriate ways."

Town Manager Jim White of Grand Lake cited a Code of Ethics that is expected to be followed by all public officers and employees of Grand Lake. He indicated that any violent behavior, whether directed at a citizen or employee, would violate that code of ethics and would be formally addressed, either by the Manager or the Board members.

Mark Campbell, Manager of the Town of Kremmling, referred to a moral turpitude clause that is included in Kremmling employee contracts. He stated that the Town of Kremmling has a zero tolerance policy with regard to violence in the workplace and that any violation of the moral turpitude clause would warrant an investigation and, ultimately, if warranted, be brought before the Town Board. He indicated that further investigation than just an arrest would probably be called for and that "each case would be based on its own merits." None of the responding towns had specific step-by-step procedure outlined in the case of violence by an employee outside of the workplace.

### Protection of Public Servants & Public Spaces

In speaking to the various town managers and town clerks, it was made obvious that a clear awareness of potential danger to public employees and violence in public buildings is of primary concern to our various government entities. Most Grand County citizens have had to go through the metal detector at the County Courthouse or had to ask for their motor vehicle registration through security glass at the County Administration Building. And the various towns are beginning to implement similar safety precautions.

As **Durbin** said, "Violence happens in public buildings and in public meetings. Just go on YouTube." He indicated that there have been cameras in place in the Fraser Town Hall for some years and that internal security measures and procedures were in place in the case of a violent incident. Manager Aaron Blair of the Town of Granby indicated that there has been discussion on how to enhance security in the lobby of that town hall, though no solutions are forthcoming. And White noted that the Grand Lake Town Hall will be installing a security window for the front-line staff and that they're currently seeking bids for installation of a security door.

Again conscious of protecting safety procedures, both **Durbin** and White said that they did not want to share specifics of their internal processes, but White stated clearly that "if there were a threat made, we have a close relationship with the Sheriff's Office. We have the option of requesting that they be present at any public meeting or event in case of threat, though we have not had to exercise that yet."

### Violent Offenders in Public Office

Colorado Revised Statute 31-10-301 states that in order to run for public office in Colorado, a candidate must be a registered voter, at least 18 years old by the date of the election, and must have been a resident of the municipality in which they seek election for at least the 12

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consecutive months prior to the election. Some municipalities in Colorado have more stringent codes, like the City of Aurora, which also states that “a person who has been convicted of a felony shall not become a candidate nor hold elective office.” All six Grand County municipalities follow State statute, and do not have any other prohibitions on holding public office.

At least one citizen of Grand County, 18-year-old Mykaela Jones of Kremmling, disagrees with the minimal requirements and has, so far, addressed a letter to the Mayor of Kremmling, Tom Clark, and to the Town Clerk as to how a violent offender can run for a decision-making position in the town. The response has been, so far, that the Town follows the State statute– as do all the other towns in Grand County. At the recent candidates forum, she addressed a question to the Kremmling candidates about whether or not they would support a more restrictive code, such as in place in Aurora. Only two of the 11 candidates answered definitively that they would be in support of such a restriction.

But her question raises some wider questions. How many of us would be in support of a similar restriction? Do we assume that background checks are performed on public candidates? Are we, as the public, aware that most anyone can run for and hold public office in the State of Colorado, regardless of history? And what can be done if we don’t agree with the current electoral process?

### Regulatory and Statutory Change

Jones, for one, hopes to be the instigator of change in, first, her community and then in the state. “I’m shocked that our election proceedings are so loose,” she stated. “I think that felons should not be able to hold public office.”

That change, at least on a local level, appears to be possible. According to Manager **Durbin**, to put in place an election code similar to that of Aurora, any town citizen could attend a town council meeting and ask for discussion on the issue in public comment, they could contact the town manager or town clerk and request that an agenda item be included in a scheduled meeting, or they could contact a town board member directly and share their concern. If the topic were one of interest to the town board, a member of the board could request discussion and, if it were to have enough support, ask for a vote to enact a new municipal code. Any municipal code can be more strict than a State statute, but must at least meet the statutory expectations of the issue.

On a state level the issue becomes more challenging. A visit to the Colorado Legislative Counsel at [leg.colorado.gov/content/how-file-initiatives](http://leg.colorado.gov/content/how-file-initiatives) lists 14 steps to getting an initiative on the Colorado ballot in order to change existing statutory regulation– a long process that often needs large numbers or dedicated lobbyists in order to get the attention of legislators.

Brie Franklin, Executive Director of the Colorado Coalition Against Sexual Assault says that Colorado “has a particularly strong group of offender advocates” and that similar issues have been met with “push-back.” However, she stresses that when offenders are elected to public office “the message sent to victims is that their experience doesn’t matter, that while water quality is important violent victimization is not. We should hold people to a higher standard. If

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we hold them accountable for crimes like embezzlement, how much more important are crimes like domestic violence and sexual violence?”

In asking these questions, a frequent response has been that the decisions should be left up to the citizens, that voters and citizens should inform themselves. But they also have the option of taking action to minimize some of these issues of violence in the public sphere. If issues of violence like these or others are of concern to you or others in your community, address your town council, speak to your commissioners, contact your state and national legislators. As Jones says, “The world is flawed, but if we all put our voices together and we all stand up, we can make a change. And I, for one, am not going to stop.”

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Jeffrey L. Durbin

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Winter Park Times

June 22, 2017

### **Construction Is Booming**

Author: Michael Turner

#### Construction Bust Trends to Boom

New residential and commercial construction is booming in Colorado mountain resort towns, led by Pitkin County, which reported sales topping \$2 billion last year. Eagle County was second, with big property deals in Vail and Beaver Creek. Summit County, which includes Breckenridge, was next, followed by Routt County and, Winter Park and the Fraser Valley.

It is easy to see the next wave of growth pulsing through Grand County. A short drive in any direction and, you'll see new framing and concrete pads waiting for loads of lumber and steel. One of the challenges for contractors is a shortage of skilled craftsman to keep up with the demand. Plans are rolling off architectural tables at a feverish pace and a spokesperson for Grand Park said, "we have a waiting list of clients that would like a set of keys as soon as we can get the certificate of occupancy".

After speaking with real estate professionals, builders and developers, there is a common theme in each conversation. That message is "Exciting" and the "Potential" is huge – it's right here, right now. Charlie Johnson with WC JOHNSON, LLC, a real estate investment company based out of Lakewood, Colorado, said, "I have a lot of friends that want to invest in a resort community, and, I keep telling them to get in now, because Winter Park is changing and it is changing fast" The Johnson family purchased Cooper Creek Square in downtown Winter Park two years ago.

It looks like the next wave of development may be a tidal surge not seen in many years. The Denver market wants to share the mountain lifestyle. Buz Koebel, Koebel and Company is based out of Denver, but the long time Grand County Family said, "One thing we see is the whole energy behind the millennials and the millennials coming of age. They are a big component of the market." What Koebel has learned is, that millennials have a little different idea of how and where they want to live and play. Koebel added, "We are having our best year in 10 years", in part, by the products and price points that cater to the new buying group. It isn't the home or property, it is the vehicle to take advantage of the amenities surrounding the investment.

Grand Park has been leading the way in the real estate development push, despite the economic rollercoaster over the last decade. **Jeff Durbin**, Fraser Town Manager, said "We are in a really good position financially and are optimistic about our future." Recently, Fraser formed a new arts council that will work to add fun and vibrancy at events and to the historic downtown area. **Durbin** said, "We have some new staff members that are working hard on several projects and, we have some new commercial facilities in the works." Fraser has plans for a new distillery that is scheduled to break ground this fall in the center of town. **Durbin** also mentioned the possibility that the historic Crooked Creek Saloon will undergo an exterior facelift.

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**Jeffrey L. Durbin**

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Clark Lipscomb, Cornerstone Holdings LLC, said “We weathered a tough economic period. During that time we put plans in place that set the stage for the projects we are bringing to the table today.“ Grand Park is releasing several new phases in the coming months. Says Lipscomb, “It’s exciting to see it come together.” The influx of year-round residents and second homeowners will boost a year-round, sustainable business model.

One thing is for sure, the numbers are starting to speak for themselves. Gross figures for property sales for 2016 were reported at a little over \$304 million dollars, representing an estimate of total residential, condo, and vacant land sales, according to a document provided by Real Estate of Winter Park. Vicki Ellis at the Grand County Building department said there were 589 permits issued in 2016, and, the numbers to date are running slightly higher over last year. The volume of new buildings marks a start of something big, like it or not, it is coming.

Charlie Johnson said it best, “Winter Park is on everybody’s radar. The excitement behind the KSL purchase, our new public Transit System, Winter Park Express, Community Center and the new stage in Hideaway Park. It’s really exciting.” The window of opportunity is open and, investors are looking, the times they are a changing.

Sky Foulkes, CEO and President of Winter Park Resort said, “Winter park has a rich history and we look forward to working with the town to continue its efforts to develop the authentic vacation experience that Winter Park offers.”

Charlie Johnson, of Johnson Real Estate Investments, and, owner of Cooper Creek Square stated “I have friends and they are buzzing. They know now is the time to buy. The ski train and new deal with KSL has shined the light on Winter Park.”

“We don’t have inventory. As soon as it comes on the market, within a day or two, it’s gone again. It is a sellers market right now, for sure.”

– Ann Burks, Rendezvous

Source. Grand County Building Department, Grand County Builders Association, Grand County Board of Realtors and The Aspen Times.

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Jeffrey L. Durbin

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Sky-Hi News

November 5, 2015

### **Housing shortage a complex issue with long history**

Author: Hank Shell

This is the second story of a three-part series about affordable housing in Grand County. Part 1 ran Friday, Oct. 30. Part 3 Friday Nov. 13.

Take a look at the numbers, and it's obvious that there's an attainable housing problem in Grand County. Jim Sheehan is the executive director of the Grand County Housing Authority, which oversees the Section 8 housing program for Grand, Routt, Summit, Clear Creek, Gilpin and Jackson counties. The program currently has 93 people in its waiting list for 135 slots. Grand County accounts for 34 of them. "As we're seeing the need increase unfortunately we're not able to respond to everyone," Sheehan said. "That's what necessitates the waiting list."

The recently completed Winter Park Housing Needs Assessment states that vacancy rates below 5 percent indicate that demand is exceeding supply and rents will likely rise. In Winter Park and Fraser, the vacancy rate for attainable rentals was 0 percent in August 2015, according to the assessment. For condos, townhomes and single-family rentals, Winter Park had a 1 percent vacancy rate, while Fraser's was around 4 percent for August. Anecdotally, citizens like Shanna Ganne of Fraser and Jessica Jimenez of Granby say there's nothing in their price range on the market. Waiting lists, vacancy rates and anecdotes – these are all obvious indications of a shortage, but the underlying intricacies of the housing crunch aren't as immediately clear.

To properly understand the housing shortage in Grand County, it's imperative to understand its history. In the years leading up to the Great Recession, development in the county was in full swing. Median sale prices of both single-family residences and condominiums were on the rise. During the first seven months of 2007, the average price per square foot for a new home was \$269 in Grand County, up from \$141 in 2002, according to county reports. There was more than \$639 million in total real estate sales volume in 2007, according to reports from the Land Title Guarantee Company. The unemployment rate hit 2.6 percent in June 2007, indicating a labor shortage.

**Jeff Durbin** started as Fraser's town manager in 2004. In 2006 and 2007, there was much new development in Fraser, **Durbin** said, and it wasn't all from big developers. "Lots of people in town were building houses for themselves and for people to live in," **Durbin** said. There was also a concern about affordable housing. Grand County's 2007 Affordable Housing Needs Assessment observed that the percentage of renters in the county paying more than they could afford for housing had risen from 13 percent in 2001 to 30 percent in 2007. The report recommended that the county build 290 units at all income levels just to catch up with its housing needs. It would need to build an additional 791 workforce housing units by 2012 to stay abreast of the growing workforce, the assessment states.

ENTER THE RECESSION

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From 2007 to 2011, total real estate sales volume in the county plummeted from \$639 million to \$214 million. The local construction industry was decimated; there was an exodus of workers and job growth declined. Suddenly, the pressure that had been building on the housing market was relieved, and the need for attainable housing became an afterthought. “Attainable housing requires long-term focus,” **Durbin** said. “All of the sudden there was no problem.”

Grand County has experienced an economic resurgence since 2011 in a variety of metrics, and in a lot of ways, today’s Grand County resembles that of 2007. Real estate sales and sales tax collections have grown countywide, and especially in the Fraser Valley. The average sale price of a single-family residential home in Grand County was \$431,496 through Nov. 5, 2015, according to the Grand County Board of Realtors. In 2007, the average sale price of a single-family residential home in Grand County was \$476,506. Job growth has also ramped up, increasing 4.4 percent from 2013 to 2014 in Grand County, according to the Northwest Colorado Council of Governments.

Things seem to be improving, but development hasn’t kept pace with the community’s needs. In many ways, the recession continues to affect the housing market in Grand County by discouraging the construction of units that workers can afford. For one, the magnitude of the construction collapse in Grand County alone causes trepidation to investors who otherwise might initiate high-risk, federally subsidized housing developments, Sheehan said. And development costs are high. “There may be very limited developable land; building costs may be higher because of the difficulties of getting construction workers and materials to these communities, which are sometimes in remote locations,” said Christine Baumann with the U.S. Department of Housing and Urban Development.

The exodus of construction workers from Grand County means there isn’t a local workforce at developers’ disposal, Sheehan said. Sewer and water taps are expensive countywide, Sheehan said, further discouraging development. “It continues to become much more difficult to provide for affordable housing based on what the cost is of development,” Sheehan said. “Certainly land is a big factor and I don’t think it’s going to get any better.” **Durbin** pointed to a 2005 construction defects law that increased the liability of builders of multifamily condo and townhomes as another factor that has stymied building. All of these factors have combined to reduce inventory across the board.

Sheehan, who oversees the Section 8 program for six counties, said he sees the same issues in other counties. “I don’t think Grand County is really unique whatsoever,” he said. “Obviously Summit County has very costly rental housing and to the extent it’s probably pushing a lot of those folks out of Summit County. Routt County is seeing the same thing.” Baumann echoed Sheehan’s observation. “We see similar issues in many resort communities,” Baumann said.

### IMPROVING ECONOMY MEANS BUYERS, RENTERS COMPETE

“To me, it’s an issue of product,” said Winter Park Town Manager Drew Nelson. “Knowing that there’s not a tremendous amount of construction going on, but we just had our best sales tax year ever – people obviously want to be here. I think it’s just a supply and demand issue right now that’s being dictated by seemingly positive economic forces.” Indeed, the improving economy

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has empowered buyers from outside to purchase second homes in resort areas like Winter Park and Fraser. “As the economy improves, as more people can afford second homes, as the number of visitors increases, these factors are probably adding to the demand in areas like Winter Park,” Baumann said.

That demand is reflected in high sales prices for homes, Baumann said, but it can indirectly affect the tight rental market because small resort communities have a limited total supply of housing units, whether sales or rental, and a limited supply of land. High development costs are stymieing new building, while economic growth both within and outside of Grand County means more renters and buyers competing for a smaller pool of units – it’s a facile explanation of a truly byzantine problem. More complicated still is how communities will address it. “I think there are probably a lot of different ways to skin the cat,” Nelson said, “and we’re going to be exploring all of them, because this is not an easy problem to solve.”

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Sky-Hi News  
October 22, 2015

### **Fraser staff push more conservative budget approach**

Author: Hank Shell

As the Town of Fraser wades into its 2016 budget process, town staff has recommended the board to trustees consider a more conservative budget approach going into the future. Finance Director Nat Havens presented the board with a list of proposed financial policies at its Oct. 21 meeting that included maintaining an unassigned fund balance equal to or greater than four months of budgeted expenditures. “As you noticed from the budget we’re getting awful thin and one year down the road, potentially two years if things don’t change, we could be in trouble in the general fund,” Havens said. “And I think it’s time we get back in a savings and reserve behavior.”

For the last nine years, Fraser has adopted budgets with expenditures exceeding revenue projections. Since 2009, the town has adopted a strategy of budgeting up to \$250,000 of unreserved fund balances over revenue projections each year, the goal of which was to maintain services and reach 2017 with enough money to pay of its debt. But current staff projections show that continuing on its current trajectory, the town would need to spend \$1.2 million of its general fund reserves in 2018 to maintain baseline services, putting the town’s general fund in the red. “I just want to be clear, nobody from staff is saying the sky is falling or the Town of Fraser is going bankrupt, but we do we have things we need to be thinking about,” said Town Manager **Jeff Durbin**.

A recurring theme in the policies presented was the recommendation that the town maintain a certain amount of unassigned fund balances, or the amount of money left in a fund that carries over, relative to expenditures. Specifically, Havens proposed that the town maintain a carry-over balance in the town’s general fund equal four months worth of expenditures for the same year. “This year, let’s say our expenditures were \$3 million,” Havens said. “One third of that is a million dollars in unassigned fund balance and that allows us to cash flow the town.” Havens said he hoped the town could maintain an unassigned fund balance even larger than four months to allow the town fund capital projects in the future. “That unassigned fund balance is also used as the savings to pay for the things down the road that you guys identify that you guys really want to achieve,” Havens said.

The town has had its sights on a new public works facility for some time, and though it has yet to set any money aside for the project, Havens said the unassigned general fund balance could be the place to start accruing that money. Havens also proposed that the town increase the amount of committed reserves in the general fund from \$750,000 in 2015 to \$1 million in 2016. Committed reserves are used primarily for emergencies. Further down the road, the town can start allocating money to its capital asset fund to purchase future assess and maintain current assets like roads, Havens said. “Right now we’re not saving for our assets, our streets, and we’re not spending the money that is being recommended by the public works director on the

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maintenance of those streets on a yearly basis,” Havens said. “We don’t have those dollars available. We need to find where those are going to come from.”

### BUDGET OUTLOOK

Though Fraser’s sales tax revenue took a hit with the closing of ALCO last year, Havens wrote in a board memo that a number of factors including new businesses and the real estate market could improve the town’s economic outlook. Increasing demand for new homes and building could boost the town’s one-time revenues, and the impending opening of Murdoch’s and the reopening of the Holiday Inn Express will funnel more revenue the town. Better than anticipated revenues could push back the time frame for when the town would need to dip into reserves.

This year, sales tax revenue from Safeway and local marijuana businesses “has basically eclipsed” losses from ALCO and the temporary closure of the Holiday Inn following a fire,” Havens said. Still, Havens said the town should remain cautious of both planned economic blows like a grocery store in Winter Park and unforeseen events like economic downturns and natural disasters. Havens said the \$1 million in committed general fund reserves was adequate for that kind of preparation.

**Durbin** said he agreed with Havens’ conservative approach. “I would balance that a little bit with, within 10 years I think there’s an equally strong likelihood that there will be additional new retailers in the Town of Fraser,” **Durbin** said. “Those are the types of things you need to be thinking about in terms of how conservative or liberal you want to be with your financial perspectives for the town.” The town has scheduled public comment periods for budget process during its Nov. 4, Nov. 18 and Dec. 2 meetings.

Sky-Hi News  
October 15, 2015

**Developer sues Fraser over wastewater treatment facility**

Author: Hank Shell

Cornerstone Holdings Winter Park LLC has filed a lawsuit against the Town of Fraser and its board of trustees over the board's denial of a use by special review permit for a wastewater treatment plant. The board denied the application for the plant, which would serve Cornerstone's Byers Peak Ranch development, at its Sept. 16 meeting. The town's planning commission had previously recommended denial of the application. A resolution to deny the application drafted before the meeting stated that the proposed use did not comply with all of the town's codes, ordinances and regulations and was not in line with the town's comprehensive plan. The use was also in conflict with adjacent uses due to noise, odor and impact on property value, according to the resolution. The proposed facility would include 7,500 square feet of space plus an additional 2,000 square feet for every 100,000 gallons of treatment capacity, according to a brief given to the town board. The facility would be located along County Road 72 behind the Fraser Valley Center and would discharge into Elk Creek.

The complaint in Cornerstone's lawsuit, filed Oct. 13, challenges those assertions among others, stating that the town's findings "are generic and vague and do not provide sufficient or adequate specificity" to support denying the application. Cornerstone maintains that the proposed facility would not be excessively noisy, produce odor or affect property values. The complaint states that the board exceeded its jurisdiction in denying the application. During the Sept. 16 meeting, Clark Lipscomb of Cornerstone lamented what he said were the town's excessive sewer tap fees. Wastewater fees from Fraser cost \$7,500, while building the new plant would cost around \$1,200 per sewer tap in Byers Peak Ranch, Lipscomb said. Trustee Jane Mather suggested that Cornerstone continue to work with the town to negotiate more appropriate fees, and the board's resolution found that the existing Upper Fraser Valley Wastewater Treatment Facility would best serve the development. Cornerstone's complaint challenges that finding, arguing that the Byers Peak Ranch property is not located within the existing facility's service area and "has no right" to secure service from the facility.

The complaint calls it an "abuse of discretion and an act in excess of jurisdiction" for the board to base its decision in part on an alternative that's "not a legal possibility." Cornerstone also takes issue with what it asserts was a lack of evidence presented during the Sept. 16 hearing to support the board's findings. Cornerstone is seeking a reversal of the board's decision or, as an alternative, that the court require the board to "make findings and reach a decision consistent with the evidence presented to it at the public hearing." Fraser and Cornerstone had previously discussed an out-of-town water and sewer service agreement for Byers Peak Ranch after voters rejected annexation of the property in 2013, though both parties could not agree upon the terms for such an agreement. Fraser Town Manager **Jeff Durbin** said he was aware of the lawsuit but could not comment on it. Lipscomb had not returned requests for comment as of press time.

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Jeffrey L. Durbin

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The Aspen Times  
September 22, 2014

### **Clerical error delays Fraser retail marijuana hearing**

The Town of Fraser canceled a Sept. 17 hearing on the county's first retail marijuana outlet after an incorrect address was posted on the agenda. The agenda listed the proposed address as 255 Mill Ave. in Fraser, though the owner intended to open the retail outlet in an existing medical dispensary at 228 Byers Ave. Town Manager **Jeff Durbin** said a mistake had been made when pulling up a prior hearing notice involving the applicant. "It was an oversight, and it was unfortunate," **Durbin** said.

Dan Volpe, owner of Serene Wellness Fraser LLC, the county's only medical marijuana dispensary, said he wasn't upset about the mistake, though he had hired a lawyer to attend the Wednesday meeting. Approval of the retail license was recommended, according to a memo issued to the board, and Volpe had complied with all applicable state requirements, completed all required alterations and improvements to the Byers Avenue location and paid all fees.

A background check of Volpe completed by the Winter Park-Fraser Police Department "found no information that would indicate the license should not be approved," according to fact sheet sent to the board. The town rescheduled the hearing for its Oct. 15 meeting. The earliest that new Colorado retail shops that were not previously selling medical marijuana can open is Oct. 1.

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Sky-Hi News  
March 14, 2014

### **Town of Fraser grows by 295 acres**

Author: Reid Tulley

With six "ayes" and one "no" vote, the Fraser Board of Trustees approved the Byers Peak Ranch Annexation agreement and related documents during the Wednesday night regular meeting, bringing the six-year negotiation to a close. The annexation of Byers Peak Ranch will annex a 295-acre parcel south of Mill Avenue and west of the railroad tracks to the Town of Fraser, and will give the developer a 35-year period to build 530 detached and 905 attached residential units, 550 lodging units and RV sites, and 270,000 square-feet of mixed use, commercial, and industrial units — if the developer were to completely build out the development. "I appreciate that a lot of people worked really hard on this and worked for some important benefits for this community through this annexation, and I am very pleased that we have made it there," said Fraser Town Manager **Jeff Durbin**.

The board chose to include a condition in the motion to approve the annexation that buildings in the development not exceed 45 feet in height, striking down the developer's requested 55-foot height limit. Clark Lipscomb, the president of Byers Peak Properties, LLC., and the applicant of the annexation has indicated he will accept the condition. Yet the developer could ask the board to amend the agreement to allow him to exceed the height restriction if he wants to build a building that is taller than the 45-foot height restriction; the board indicated during its deliberation of the topic it would be willing to consider approving a building above 45 feet if it is appropriate. "The town made a really good deal for the town and I think it will end up being a very successful project for us as well as the Town of Fraser," Lipscomb said. The developer stated he does not think he will begin construction of the project until next year, though he has already started working on the initial process of constructing two water augmentation ponds, which will be built by the developer and dedicated to the town. The developer plans to build homes on the Byers Peak Ranch property that are affordable and will allow residents and newcomers an option to live and work in the Fraser Valley instead of having to live outside of the Valley because of high home prices. The Town of Fraser has spent hundreds of hours working through the annexation agreement, having created a subcommittee dedicated to the project consisting of Fraser Mayor Peggy Smith and Trustee Steve Sumrall and held numerous community meetings to help the residents of Fraser understand the agreement and voice questions or concerns about the project.

Smith opened the board's deliberations with a statement outlining the history and the agreement and providing the different possibilities if the agreement were to be approved or not. "This annexation is not whether the property should or should not be developed. The applicant owns this property and it will be developed, if not in the town of Fraser, than in the County. This annexation is a decision based on what is best for our community now and in the future," Smith said. "In order to have a sustainable community we need to attract younger families and new businesses that create new jobs. By annexing Byers Peak Ranch into the town of Fraser we can maintain control of the sales tax generated in the development as opposed to competing against

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Byers Peak Ranch as we do with the town of Winter Park. Imagine a Fraser Valley that instead of competing against our community members unites and focuses on our real competition, Summit County and Steamboat." Trustee Cheri Sanders voiced her support for the agreement during the beginning of the deliberations by saying "I can't tell you how many hundreds of hours I have put in on this, and as being a long time resident and knowing the implications both ways, I would say, yes, my thoughts are we need to proceed with annexing Byers Peak Ranch into the Town of Fraser so that the Town of Fraser can watch out for itself and not depend on the county or anybody else to guide our growth." Members of the community voiced concerns about the agreement throughout the process and provided a very large amount of input to the town. The public hearings hosted overflowing rooms of concerned citizens and dozens of written comments were submitted to the board during the public comment period. "I think it's great that the community really engaged in this," **Durbin** said. "People really care about this community and that is a great thing."

After the public comment period was closed and the board's deliberations began, Smith gave a synopsis of the final agreement saying "this agreement needs to be considered in its entirety as a collaborative work, which is the best deal we could have reached after years of negotiation, it is not a one sided agreement but a fair agreement that represents the needs of both parties now and 35 years into the future." "We all love the beautiful meadow that has graced the valley for hundreds of years and this view is very difficult to give up. I'm asking the board not to focus so much on the view but on the vision of Fraser's future," Smith said. "I believe a community that is not growing is in the process of dying. It is my hope tonight that we take the steps necessary to move Fraser to a sustainable future."

### Water

One of the most important pieces of this agreement to the Town of Fraser is the construction and dedication of two water augmentation ponds for the town, which includes junior water rights. The town will be getting 60 acre feet of water storage from the developer who is required through the agreement to complete the construction of two augmentation ponds in a timely manner, something he has already begun. The Forrest Meadows augmentation pond will store 25 acre feet of water for the town and the Byers Peak augmentation pond will store 35-acre feet. The construction and dedication of these two augmentation ponds will allow the town to firm up their water rights for future use. This is something the town has said is essential to its ability to provide water to current and future residents. "We will receive 100 percent of the sewer tap fees and a percentage of the water tap fees structured so that the timing coincides with the expansion needs of the town. This is a structured fee program, not a subsidy, it is a financing mechanism that provides both parties with the capital they need when they need it," Smith said. The developer has agreed to pay \$60,000 once the agreement is executed to allow the town to immediately begin well improvements to supply the first SFEs for the development as well as 160 SFEs for the town. The town will also use the money for the water rights applications for the two augmentation ponds. Future improvements to the town's water system will be completed as the project moves forward and more water tap fees are collected. "I think that it is a tough deal with a lot of emotions surrounding it," **Durbin** said. "But at the end of the day this agreement brings some things to this community that the community needs."

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Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Sky-Hi News

December 14, 2013

### **Fraser residents brace for possible water-rate increases**

Author: Reid Tulley

Water users could see an increase of \$80 in water and sewer rates in the coming year, pending the validation of the 2014 budget by the town council on Wednesday, Dec. 11, with the possibility of a \$113 per-tap special assessment being issued to raise money to address augmentation needs.

#### Rate increases

Water and sewer rates for all Fraser water users are proposed to be increased by 8 percent, or \$10 a quarter for both water and wastewater rates, equating to \$80 a year, in an effort to both battle the rising costs associated with operations and maintenance of the systems as well as to increase the reserve funds for the accounts. The rate increases related to water and wastewater funds come after years of the town's trustees electing to keep water and wastewater rates flat due to concerns about ratepayers' financial strength, according to Fraser Town Manager **Jeff Durbin**.

In the past — before the town board elected to keep water rates flat — water rates were increased about 5 percent yearly to keep up with rising operations and maintenance costs and to help pay for capital improvement projects, according to **Durbin**. Rates were kept flat in past years by supplementing revenues with money from the general fund as well as the use of Plant Investment Fees for operational costs for the systems. "It was with regret that the town board increased customer's water/sewer bill by 8 percent in 2014, but given the challenges our utility faces and the many years of deferred maintenance, rate increases are an unfortunate inevitability," according to the 2014 budget message that was released in association with the proposed budget.

The rate increases are meant to fund routine operations and maintenance, capital projects, and address inadequate reserves for the two funds, namely the water fund reserve, which will total \$360,000 at the end of 2013 with a carry-over balance estimated to be \$438,000. While the wastewater fund's balance is much higher, estimated to have a balance of \$2.65 million at the end of the year, the board has discussed utilizing this balance in order to address a number of issues the system faces, including plant expansion and addressing infiltration of groundwater into the collection system.

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Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Sky-Hi News

December 5, 2012

### Fraser board 'takes pride' in 2013 budget

Author: Reid Tulley

With every member of the town board on the budget committee and over six times the hours spent on the 2013 budget than previous years, the Town of Fraser has been working hard to make sure that all of the T's are crossed and the I's dotted for the 2013 budget for the town. "The board has put a ton of time and effort into this," said Fraser Town Manager **Jeff Durbin**. "We are proud of it."

The board has decided to take a more fiscally conservative approach to the 2013 budget and therefore has been taking out some of the cushion funds that are usually rolled over in the carry-over fund balance and is also pressing harder for grants and cooperative agreements. The town will still be providing the same services to its citizens "even better," **Durbin** said. The town will not use reserve funds to provide services for the town, instead they will save the reserve funds for capitol projects, like improvements to the town's properties. "We will be doing more with less," **Durbin** said.

The town recently received a grant that will supply volunteer workers to help to build and clean up trails in Fraser. The receipt of this grant along with the work provided by the Headwaters Trail alliance will make sure that the trails in Fraser are up to par. Fraser is also planning on providing some funding to match grants for some upgraded way-finding signage that will help get people outdoors, one of the main driving factors behind the town's tourism dollars. "Despite a smaller budget, you will see us get things done here," **Durbin** said.

The town is taking a conservative approach to the 2013 budget by not exaggerating revenue projections for the future. With no large capitol improvements planned for 2013, one of the budget items that the town will take on is the budgeting for equipment for the March 8-10 Snowball Music Festival. The details of the festival still need to be hashed out by the town and they are looking forward to supporting the event that is sure to bring a large amount of people to the Fraser Valley.

The town is also looking forward to the impacts of the new branding efforts of the Winter Park-Fraser Chamber of Commerce. "We will continue to do good things for the community while being fiscally conservative," **Durbin** said. The next budget hearing will take place Wednesday, Dec. 5, at 7 p.m. at the Fraser town hall.

The town board approved its budget for 2012. Total budgeted expenditures in the general fund are \$2.76 million and revenue is \$4.05 million. About 78 percent of the 2012 projected general fund revenues are generated from sales tax and 11 percent from property tax.

Salaries and benefits equal 25 percent of the 2012 projected expenditures, and capital expenditures amount to about 22 percent of the total town budget pie.

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In tough economic times, the town hasn't cut programs or services, and has been able to complete capital projects, said Fraser Town Manager **Jeff Durbin**.

The town budget shows \$250,000 in street improvements, which may include drainage improvements in Ptarmigan, and chip and seal in both Ptarmigan and Rendezvous residential areas in Fraser. There may also be other less significant work in other areas of town. "To be able to do this kind of improvement in these economic times is good for the town. Deferred maintenance is the word these days, so I'm proud of taking care of our infrastructure and the community should feel good about it," **Durbin** said.

The town is still on a "flatline" for employee salary and benefits. "We run a lean ship and have cut most of the fat already," **Durbin** said.

Fraser Valley Metropolitan Recreation District:

There are no capital improvements and no wage increases budgeted for 2012 at the Fraser Valley Metropolitan Recreation District.

District officials do not anticipate any fee increases.

"It is a challenging economy for tax-based entities, we tightened our belt and are hopeful that the economy will turn around and allow us some additional revenues," Ledin said. "It's going to be a lean year and we are prepared for that."

In addition to approving the 2012 budget, district officials are evaluating last year's recreation programs with staff members to assess which programs may be continued or replaced, he said.

Sky-Hi News  
October 13, 2011

### **Fraser-Winter Park aim to formalize sharing agreements**

Author: R. C. Liberali

For many years Fraser and Winter Park, as well as other Grand County towns, have shared resources as circumstances dictate. These “collaborations” function under the auspices of intergovernmental agreements, or “IGAs.” And they allow for significantly better utilization of resources, especially in today’s difficult economy. “The Towns of Fraser and Winter Park have been practicing this for several years,” explained Fraser Town Manager, **Jeffrey L. Durbin**. “It allows us to provide the highest possible level of customer service in the most cost-effective way.”

Winter Park Town Manager Drew Nelson echoed **Durbin**. Recently, both towns have been exploring ways to create a more formal agreement to share public works equipment and personnel. According to the preliminary paperwork, “Fraser and Winter Park have staff and equipment unique to municipalities ...” they could share in mutually beneficial ways. Both town managers anticipate formally “inking” the agreement sometime in the next calendar year. “Historically, one of our most successful intergovernmental collaborations was the establishment of the Fraser-Winter Park Police Department,” **Durbin** said.

Another notable project was the combined effort put in to developing the Fraser River Trail, a 5-mile, multi-use greenway connecting the towns. The two municipalities worked hand-in-hand to not only protect and improve the fragile ecosystem of the Upper Fraser River, but also to build and maintain the trail. Collectively, under an early intergovernmental agreement, they garnered project funding in order to accomplish their mission. As trail users hike, cycle and cross-country ski their way from Fraser to Winter Park and back, they can avail themselves of many amenities installed along the route, all funded through proceeds from the Colorado Lottery, Great Outdoors Colorado.

Nelson and **Durbin** have also worked together for years. Before Nelson was appointed to his current job, he worked for **Durbin** in the Fraser Planning Department. “Here’s just another example of intergovernmental cooperation,” Nelson said. “When we hold our holiday get-togethers, personnel from other towns step up and help cover, just in case. For instance, officers from the Granby PD cover us and, in turn, when Granby does theirs’, we cover them.” “When our Public Works Personnel hold their holiday get-together,” explained **Durbin**, “Winter Park’s staff stands-by, again, just in case.”

**Durbin** said Fraser has “unofficial” IGAs with several other entities, as well. “We have one with the East Grand School District,” **Durbin** said. “When it snows, we’ll plow the parking lot at the Fraser Elementary. We’ve got our equipment out and working anyway, so it’s no big deal to clear their parking lot. “In turn,” he added, “the school district folks will come-in and ‘certify’ our playground equipment. It’s easy, it works, and it works well.” “We have another with the recreation district,” **Durbin** said. “They use one of our buildings and in return, they cut some of

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**Jeffrey L. Durbin**

*(Articles are in reverse chronological order)*

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our grass.” **Durbin** went on to explain other successful IGAs, working to maximize municipal dollars countywide. Among them: combining the Fraser-Winter Park municipal Courts, as well as the Fraser, Granby and Winter Park Building Departments. Regarding the most recent intergovernmental agreement, both **Durbin** and Nelson cited an example of sharing a specialized piece of equipment owned by the Town of Winter Park. “Take the ‘bucket truck,’ for example,” Nelson said. “Winter Park has one and Fraser does not. Every once in a while, Fraser Public Works needs it to get up high and change out a street light bulb at the intersection by Safeway. We lend it to them; they use it and bring it back. It is as simple as that.”

“When times get tough,” **Durbin** concluded, “we all have to get more creative. “These intergovernmental agreements help everyone save resources while still maintaining the high standard of customer service we provide to taxpayers and guests alike.”

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Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Sky-Hi News (Granby, CO)

March 25, 2011

### Fraser open for business

Author: Reid Armstrong

Fraser is trying to shake its bad rap when it comes to being business-friendly. From working with the chamber of commerce on a loyalty card program to streamlining zoning regulations to entice new business, the trustees and staff are looking to change the way Fraser does business. How the town earned its anti-business reputation is up for debate, but Fraser has been stuck with that stigma for several decades now, said Town Manager **Jeff Durbin**: "Whether it's perception or reality doesn't really matter – in this world, perception is reality."

The tides started turning somewhere around the opening of City Market in 2004, which drew shoppers away from Safeway and caused huge revenue reductions for the town. "All the sudden this 'given' wasn't a given anymore," **Durbin** said. "With the revenues going down, it gave us a real clear understanding of how important business is." In the years to come, the town re-invented its business license program. Where it once charged \$100 for Safeway's business license and \$60 for a smaller vendor – after asking themselves, "Why are we doing this?" – the town set all business licenses at \$40. "Revenues went up," **Durbin** said.

**Durbin** acknowledges that there were other issues. The attitude among Fraserites for a lot time was: "Little guys don't let big guys go corporate," **Durbin** said. "It was neighborhood business against corporate people." It's a touchy position for a small town whose survival is dependent on sales tax dollars. "This community has evolved quite a bit since then," **Durbin** noted.

Because the success of municipalities is so intertwined with the success of the businesses that reside there, the town recognizes that it has an obligation to strive for business "retention, expansion, recruitment – in that order," **Durbin** said. "Today's economy kicks it into a bigger level of importance," he added. Which is perhaps why momentum has been building in recent months – a second Fraser Business Forum, held Tuesday, March 22, touched on several potential pro-business programs, while the town board has discussed more comprehensive changes to its business policies at recent meetings. "It's all part of a big sweeping master plan," **Durbin** said.

One thing **Durbin** has been doing in recent months to improve relationships with the town's existing businesses is to bring his department heads to have lunch with different business owners, making sure everyone knows each other, problem solving and building relationships, he said.

Other things the town is looking at are bringing in new special events to Fraser, whether community-building or tourist-attracting; subsidizing a loyalty card program (through the chamber) that would bring new dollars into local businesses; creating an urban renewal authority or special district to provide services for a particular area; becoming home rule community (which could have benefits); providing tax rebates/incentives for new businesses (possibly through a sales tax amnesty program); streamlining the building permit process and business

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licensing process; offering employee rebates (for the creation of new jobs); forming a town grant program for exterior improvements (similar to what Winter Park has); and getting more involved in the BEDA (Business Economic Development Association) grant program.

Another key component, **Durbin** added, is getting the word out – letting people know what the town is doing to help business. Right now, Fraser doesn't even have an economic development tab on its website. Offering information about some of its pro-business programs online could help the town begin to change perception. "Fraser wants to do business," **Durbin** said. "We need to let people know that."

But, just as important as attracting new businesses is helping existing businesses survive and expand. That's a key fact the town hasn't lost sight of, **Durbin** said: "In order to have a sustainable future for a community, you have to include business in that equation."

The board will continue to tackle these topics as it meets in the months to come and plans future business forums. "Watch our agenda on the website," **Durbin** said, adding that the town encourages the public to come to town council meetings or Fraser Business Forums.

While the stage has been set, **Durbin** added, don't expect these things to happen overnight: "Cultural change takes time."

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Jeffrey L. Durbin

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Sky-Hi News

December 1, 2010

### Fraser considers new water rate structure

Author: Reid Armstrong

The Town of Fraser is looking to restructure its water rates in a way that may reduce quarterly payments for some customers and encourage conservation for others. Town Manager **Jeff Durbin** along with the town's water-wastewater committee has proposed treating businesses and residences the same under a new fee structure. "I don't see any reason to multiply the rate for businesses just because they are businesses," **Durbin** said. "Businesses carry more of the burden already, and without them, we won't have services." It's a lesson the town learned the hard way when City Market opened in Granby in 2004, forever leaving a gaping hole in Fraser's sales tax revenue. The impact made an indelible mark on **Durbin**: "We've got to support our businesses," he said.

Under the proposed system, businesses and residences would be charged based on the size of the pipe coming into their building rather than on the square footage of the business or the number of bedrooms in the house. The new system is expected to "flatten out inconsistencies," **Durbin** said. Many businesses are expected to pay less for water and sewer under the proposed fee structure than they did in 2010. Larger, newer residences are also likely to see rates drop with the new fee structure since they are typically second homes that use less water. But, with the switch from a flat rate to a use-based system comes some risk, explained **Durbin**. If the plan works and customers really start conserving water, the town stands to lose much-needed revenue.

It's a risk the town seems willing to take to be more business-friendly and to level out some of the existing inconsistencies, **Durbin** said. Most houses and many businesses have a 5/8 inch or 1.5 inch pipe, which will qualify them as a "single family equivalent" under the new regime. And the same base rate structure will apply for water and waste water. "It made sense to put water and sewer on the same page," **Durbin** said. Most of Fraser's single-family residential customers currently pay a flat rate of \$119 per quarter for water and \$121 for sewer, regardless of use.

The proposed base rate drops to \$115 per quarter for almost all residences, including those who have larger homes. But, the town is also proposing a usage fee of \$1.50 per 1,000 gallons. The average homeowner who uses 4,000 gallons per month will only see their bill increase by about \$6 or 5 percent, **Durbin** said. Wastewater rates are proposed to increase from \$121 per quarter to \$129. The board will discuss the proposed rate changes when it meets at 7 p.m. Dec. 1 in Fraser Town Hall.

In some ways, this water/sewer thing has become **Durbin's** legacy. During his six-year tenure as manager and 10 years working for the town, he has seen Fraser struggle to upgrade its system to comply with the state's water meter act, which requires every public water supplier to provide metered water. Once the act was passed, the issue became – "How are we going to do this and how are we going to pay for it?" **Durbin** said. According to town "urban legend," **Durbin** said,

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Fraser's water rates were increased at some point in the early 1990s to pay for the installation of the metering system, but then the money was never actually set aside into a separate account.

After **Durbin** came on as manager in 2004, he applied for and received a \$180,000 grant from Department of Local Affairs to pay for the meters and installations, so the customers in the district didn't get stuck with the bill. An aggressive campaign began then, with a big push in 2005/2006 to get meters installed around town. People had to contract with an approved plumber to do the work and meters were installed inside homes where they would not freeze.

Another two years passed before the company that provided the remote readers figured out why their devices didn't interface with the meters (it turned out that the meters had to be "awakened"). Two more years went by before anyone could figure out why the meter readings weren't working with the software program the town had purchased. (The problem came down to a difference between a capital B and lower case b.) By mid-2009, the meters were finally reading ... well, most of them, anyway. Some 250 meters still couldn't be picked up by the remote. Plumbers had to be called back to houses to get inside and fix the problems, which ranged from dead batteries to loose wires. By the end of 2009, bills began arriving with meter info so that customers could watch their consumption. In 2011, the town will finally meet its two-decade-long goal of switching to metered charges.

There is risk involved with the proposed fee structure, **Durbin** said. Similar to what happened in Denver when they started a big campaign to save water – it worked, and suddenly Denver Water's revenues dropped off a cliff. The risk here, **Durbin** said, is that if people conserve a lot of water, the town could lose \$60,000 in revenue next year. "We are not Coca-Cola bottling water and selling it for profit," **Durbin** said. "We are all in this together." "We are treating water everyday regardless. The cost doesn't change," **Durbin** said. "We still have to use the same amount of chemicals, and the electricity to run the plant and employees to operate it."

The wastewater plant is also struggling to be self-sustaining. The drop in tap fees due to the decline in new construction has also had a big impact on the budget. Tap fees were helping to support the operating cost of the wastewater plant, **Durbin** said. Without those fees, the town is anticipating a \$300,000 shortfall in the wastewater budget. **Durbin** said the town is doing everything it can to avoid adding cost to its customer's bills. Helping with that, the town received \$650,000 from the American Reinvestment and Recovery Act to replace pipes last year – a cost that would have been passed on to the customer otherwise.

More infrastructure needs loom down the line, and the town's water-wastewater committee will need to find ways to set aside money for capital upgrades and repairs while becoming more self-sustaining operationally. As far as his "legacy" goes, **Durbin** said that, while managing water and sewer certainly isn't the most glorified role of a town manager, he's looking forward to the challenges ahead.

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Jeffrey L. Durbin

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Sky-Hi news  
December 10, 2009

### Fraser 2010 Budget: 'Shave Everywhere'

Author: Reid Armstrong

Taking a conservative approach to its budget and anticipating several bad years to come, on Dec. 2 the Fraser Board of Trustees adopted a \$5.3 million overall budget for 2010 (excluding the joint facilities fund, which it will also manage in 2010). The budget, which increases the town's property taxes by 15 percent, projects \$2.2 million in revenue in 2010 and \$2.4 million in general fund expenditures. Planned spending would draw down the town's reserves by some \$200,000, leaving a \$1.7 million general fund balance at the conclusion of 2010. Sales taxes will continue to bring in the vast majority of the town's income in 2010. Despite an 18 percent decrease in sales tax revenue since 2008, Fraser is holding the line on its projections, budgeting \$1.6 million in sales tax revenue for 2010 even though 2009 revenues are expected to total \$1.475 million by year's end.

With little fat remaining in the budget, manager **Jeff Durbin** said the hopeful sales tax projection is a trade-off. "We're holding the line on our projection from 2009, otherwise we'd have to cut further into the general fund balance," he said. The message of this year's budget season was "shave everywhere," **Durbin** said. Board members commended staff prior to the budget adoption last week for reducing expenditures by \$750,000 since 2008.

Capital expenditures for 2010, totaling \$95,000, include the purchase of several new town vehicles and a new patrol car for the police department. The town's contribution to marketing and events with the Chamber of Commerce for 2010 is \$78,280. The budget sets aside \$14,000 in grant funds for community organizations, including \$4,500 for Headwater Trails Alliance and \$4,500 for Grand Beginnings. There's no contribution to the library in Fraser's budget this year, although \$5,000 in emergency reserves has been set aside for the library and other organizations should they have a budget crisis due to the lack of funding.

"When sales tax plummeted with the opening of City Market in 2004, we really had to turn our focus on essential services. Contributions was one of the major things that got cut," **Durbin** said. The town now helps community organizations primarily through in-kind donations. Fraser received a total \$1.5 million in grants and awards to the community last year, which will be used for projects in 2010, **Durbin** said. On the books for completion is a \$160,000 in improvements to Lions Fish Pond and \$650,000 in water infrastructure projects using federal stimulus funds. The town is also looking at an open space project near the old wastewater ponds in 2010.

The biggest challenge this year was the incorporation of the Fraser Sanitation District into the town's budget, **Durbin** said. Wastewater treatment was given its own designated fund, separate from the general fund and non-transferable. The town eliminated the mills associated with the dissolved wastewater district and increased fees to cover costs. The board set 2010 wastewater rates at \$121 per quarter per single family equivalent, and it set water rates at \$119 per quarter for water per single family equivalent, although the town is looking at changing water to a

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metered, usage-based rate for 2011. The total annual combined water and wastewater bills for single family equivalents in 2010 will be \$960, regardless of the value of the home.

Properties with high assessed values will see a decrease in fees from what it could have cost in 2010 had the district remained solvent and increased fees as discussed. Properties with an assessment below \$300,000 may see a slight increase overall, according to charts. "The bottom line is that the town is not cutting any services or programs," **Durbin** said.

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Jeffrey L. Durbin

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Sky-Hi News

November 6, 2009

### **Fraser Sanitation District dissolution brings new challenges**

Author: Reid Armstrong

District voters decided 140-97 on Tuesday to dissolve the district and turn operations over to the town. Now, the Town of Fraser has a little less than eight weeks to accomplish a laundry list of items required to absorb the district. Failing to meet this deadline could cost the town \$100,000 said town manager **Jeff Durbin**. Once the election results are certified, District Judge Mary Hoak will issue an order of dissolution stating an effective date and any other requirements. "We are hoping for Dec. 31," **Durbin** said. "There are a whole series of things that will cost the community a lot of money if this thing rolls into 2010."

Among other things, the district would need a budget and another audit. There would be employee contract issues, insurance renewals and workers compensation issues. "Even a couple days in January would cost us a lot of money," **Durbin** said. "We have a lot of other things going on at this time of year, like the budgeting process," **Durbin** said. "But, making this transition smooth and seamless is our number one priority." The town will be creating a new department and new positions and offering the district's three current employees those positions, which "we hope they accept," he said.

Whereas the district's employees are currently responsible for both the wastewater collections system and operations at the plant, all three employees will now be exclusively in charge of plant management and operations, **Durbin** said. The town's department of public works will dedicate an existing employee to deal with the wastewater collections system. "We are hoping to make this transition smooth for them," **Durbin** said. "The company you work for is disappearing and all the sudden you are working for a new company. That can be tough."

The district's two pickup trucks and other assets, including its bank accounts, will be transferred to the town. The town will be put on the title of the wastewater treatment plant and will sign a joint agreement with the two other sanitation districts that share ownership of the plant. The Fraser board of trustees must also convert and adopt into usable code all the district's rules, regulations, wastewater standards and fee structure. "It's a lot of work, but we can make it happen," **Durbin** said. Internally, the town will create two separate funds, one for wastewater collections and one for the wastewater plant. The money moving over from the district will be allocated directly into those two funds, **Durbin** said. "If people are thinking that we are looking to dip into these funds for plowing street, they are wrong," he said. All the money the town spends on wastewater collections, operations and management of the plant will come directly out of those funds," he added.

District reserves

The sanitation district holds about \$2 million in reserves, according to Fraser Sanitation District Board Chairman Drew Matteson, who publicly opposed the dissolution. "The whole thing is

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Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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smoke and mirrors," he said. "It's about the money and the town wants to have it." But, Matteson added that he is glad the people had the opportunity to vote on this issue:

"The people have spoken, and I am very grateful that town allowed the people who pay the bill to make the decision." He said customers would be certain to see a rate increase as a direct result of this transfer: "The town already agreed to raise rates to accomplish this, and it will cost us all more for sewer. But, it's the people's money and they ought to choose how it's spent."

**Durbin** wasn't clear on what, if any, rate increase are in store or when rates might be likely to increase. However, if the Town of Fraser assumes responsibility for the plant operations from the district, as expected, "It will add some costs to this process," **Durbin** said. Furthermore, there will be some impact on the costs of wastewater treatment for all three districts over time as new regulations take effect and the cost of living and insurance increases, **Durbin** said. "But the property tax associated with that district [2.310 mills] will be going away," **Durbin** said, adding that "it might have to be picked up in the rates," at some point down the road.

**Durbin** said the sanitation district's proposed budget for next year anticipated at least a 3 percent increase in service fees. The sanitation district board will dissolve when the transfer is complete, **Durbin** said, but the town plans to form a new water and wastewater committee and hopes to "appoint these folks to that committee in order to capture and maintain their knowledge and experience." Matteson said he would agree to serve on such a committee.

**Durbin** said the sanitation district's customers won't notice much change during the transition. They will call the same number and their bill will come from the same place. Ultimately, a different person may be responding to field calls, but that won't be immediate, he said. Plus, the application process will be streamlined for builders and developers. "The goal will still be to provide the best service to the community," he said.

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Sky-Hi News  
September 11, 2009

### **Fraser inks deal to accept \$625,255 in stimulus funds**

Author: Tonya Bina

Fraser is on track to accept \$625,255 out of \$750,000 in stimulus funds to improve its water system. In a special town board meeting held on Wednesday, Fraser officials approved entering into a loan agreement with the Colorado Water Resources and Power Authority to meet the state's stringent deadline. The loan through the state is with 100 percent principal forgiveness. With that money, Fraser will be embarking on three major water projects in town.

A fourth project that would have created an interconnection between district water systems to allow for water to transfer from one system to another in the event of a major catastrophe was edited out of the town's application in the last minute. Essential to the interconnection is an easement on Grand Park property. Town staff members found out on Wednesday after the state's Tuesday furlough that the loan agreement could be re-worked to take the \$67,000-\$98,000 interconnection piece out of the greater capital-improvement package. In the 11th hour, state employees worked with the town to draft new language in the loan documents, according to Town Manager **Jeff Durbin**.

An easement agreement between the town and the Grand Park development still had not been worked out. Even without the no-payback loan funds to accomplish that particular project, Mayor Fran Cook said the town intends to work with the town of Winter Park to pursue other ways of financing the interconnection project. **Durbin** said he hoped that the failure to secure funds to provide an interconnection would not overshadow the fact that the town is gaining a significant sum to improve other aspects of the town's water system. "It's going to help this community immensely," he said.

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Sky-Hi News (Granby, CO)

December 5, 2008

### **Fraser dips into town reserves to preserve services in 2009**

Author: Will Bublitz

To offset an expected drop in tax revenues due to the economic downturn, the Town of Fraser plans to tap into its financial reserves to maintain services for its residents next year. That was the decision made by the Fraser Board of Trustees as they approved the town's 2009 budget at Wednesday's meeting. "There will be no cutbacks in services," said Nat Havens, the town's Financial Director. "However, our budget is still \$500,000 in excess of what our projected revenues are for next year."

Havens explained the half million dollars will be taken out of the town's \$2.3 million in reserve funds. The rest of the town's budget expenditures will come from an expected \$2.3 million in revenues that the town predicts it will take in during 2009. Next year's \$2.3 million in revenue, which primarily comes from development and sales taxes, is a decline of about \$200,000 from this year. The town's 2008 income is expected to total \$2.5 million.

"Since 2007, our revenues have fallen about \$250,000 compared to this year," said Town Manager **Jeff Durbin**. "Fortunately for us, two years ago we put half a million dollars into our reserves. Thank God, we did that. If we hadn't, we might have been forced to consider some cuts in service now."

A year ago, the Town of Fraser's had budgeted to spend just over \$3 million, but **Durban** said the town has trimmed its expenses. By the end of 2008, it will only have spent about \$2.6 million. In formulating its 2009 budget, the town decided that it needed to spend \$2.8 million, which is a combination of the \$2.3 million in expected revenues and \$500,000 in reserve funds.

**Durban** explained next year's budgeted rise in expenditures over the current year is due to increased costs for police and other services as well as capital improvements such as the purchase of emergency generators for the town's water system and major street repairs. "Am I comfortable using our reserve funds?" **Durban** said. "On the one hand I'd have to say 'yes, because that's what reserves are for.' We have certain projects that we have to fund as well as certain services we have to continue for our residents. "On the other hand, I'd say 'no, I'd rather not use those funds," he said. "While \$2.3 million may sound like a lot of money, it's really not. But because of the economy, we have to use it now. When we're finally out of this economic downturn, we have to make building up our reserve a priority."

Havens, the town's finance director, told town board members that he would continue to monitor the budget and give them updates throughout next year. He said adjustments may be required including the approval of a revised budget possibly by next September.

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Sky-Hi News

August 27, 2008

### **Town of Fraser has some fun writing its mission statement**

Author: Katie Looby

The Town of Fraser recently came up with this mission statement draft:

“The Town of Fraser Board of Trustees and Staff will endeavor to protect and enhance the health, safety, and welfare of all Fraser residents (especially us’ns), business owners, property owners and guests; and plow Byers Avenue first as we know the mayor resides there; make sure the grass is long and green to hide doggie presents; keep away from the railroad because it’s big and scary; provide a nice shady area to enjoy the park; do a sun dance when it’s rainy and do a rain dance when it’s too hot; allow on street parking the second of July 2017 for the full day; continue to allow water to run downhill within city limits; require all plants or trees to grow upwards or possibly outwards; recommend that all F/WP Officers wear giant mirrored shades and refer to motorists as either “Son” or “Ma’am”; attribute any success in a 5 mile radius to the “Fraser Bump” and any failure to the “Tabernash Slide”; paint flames on all loaders and lawnmowers; be nice to animals and bugs (except beetles); guarantee that the traffic lights will always turn red just before you approach; continue our groundbreaking work on bringing the alpenglow closer to town; nod sagely when asked questions we don’t know the answer to; ensure that dumb looks are always free; put signs on dumpsters that state clearly “No Bears ” this means you!”; pass legislation that will give the moose an equal vote (the two legged one at least); and designate the Crooked Creek Saloon as the alternate Town Hall ... just because we can.”

However, they later adopted this mission statement instead.

“The Fraser Town Board and staff will work to preserve, protect and enhance the health, safety, and welfare of Fraser residents and businesses. And this Values Statement: “In our goal to ensure a sustainable community, the Fraser Town Board and staff will emphasize our values of communication, fairness, privacy, patience, health and safety, humor and trust.”

The board came up with the joke mission statement while adopting the real one, says Fraser Manager **Jeff Durbin**. “(The Board of Trustees) have a pretty good sense of humor,” he said. The board collaboratively wrote the statement this summer. “As we were talking about it somebody made some sort of a little joke,” **Durbin** said. That led to the creation of a “really off the wall kind of mission statement,” he said, adding that they wanted to see if anyone noticed. “We just wanted to clean it up a little bit,” **Durbin** said, about the mission statement adopted Aug. 6. “I think it’s a good mission statement. That’s really why we exist as a town. You know, we’re not here to solve all the world’s problems ... That boils it right down to why we do this.”

#### Town of Fraser Goals

- Provide public services and safety
- Preserve, enhance, and promote community values
- Improve our partnership with the business community
- Refine and Implement growth management goals and strategies
- Ensure environment security, economic sustainability, and social well-being.

Sky-Hi News

August 21, 2008

### **Grand Park sues Fraser over water tap fees**

Author: Tonya Bina

Grand Park, Frasers largest developer at the south end of town, is suing the town of Fraser for what it considers a breach of contract in the amount of \$383,695, plus interest and attorney fees. In a lawsuit filed in Grand County District Court on July 23, Cornerstone Winter Park Holdings claims Fraser withheld tap-fee reimbursements owed to the developer. The developers basis for the suit stems from a 2004 annexation agreement outlining terms and provisions concerning the construction of well pumps, treatment facilities, transmission lines, water storage facilities and primary distribution lines, according to the complaint.

Language in the agreement outlines reimbursement of tap fees from the town to the special district for the creation of water infrastructure that ultimately benefits the town. Grand Parks Cozens Meadow development tapped into Frasers water system at the same time another system was being built at the Rendezvous development across the way to accommodate a growing community. Cornerstone Holdings and Rendezvous developer Koelbel Winter Park LLC, were partners before the two developers parted ways in 2003. But, according to the complaint, it was agreed that Cornerstone would build infrastructure that connects the water system at Rendezvous to the towns to integrate the two systems.

With two tanks, the \$3 million system at Rendezvous can supply 800,000 gallons of water storage located higher than Frasers. That system creates redundancies in water capacity that benefit the entire community, said Grand Park President Clark Lipscomb. Until then, the town had no back-up system, he said. Grand Park spent more than \$500,000 on the pipeline from Fraser to Cozens Meadow alone, he said, as a part of unifying the two systems and supplying water to its Cozens Meadow residents. The development has also installed other infrastructure including crossings and water tanks as part of the developments four-phase master water plan.

I'm in phase four now, Lipscomb said. Its utterly ridiculous to be wasting our legal systems time on something that is as clear as this. If they had proper management and leadership, this wouldn't have happened, he said. We have a duty to protect the public interest, and that is what were working on, said Town Manager **Jeff Durbin**. Although the manager declined to give details on the towns position until it files its official response, expected sometime this week, **Durbin** said the language in the annexation agreement is intended to convey development pays its own way. It boils down to contractual dispute, he said.

When it became obvious that the town and Grand Park had reached stalemate on the matter, each agreed to try mitigation, which took place in early June. We tried, to no avail, **Durbin** said. The net result was that it was not a result that we would accept, Lipscomb said. The town does have legal costs budgeted, but **Durbin** isn't sure how much the court case will cost taxpayers. The only lawsuit involving the town **Durbin** could recall since he started with the town in 2000 was the complaint filed by Valley Vino involving a liquor license denial about two years ago.

## **Internet – Newspaper Archives Searches**

**Jeffrey L. Durbin**

*(Articles are in reverse chronological order)*

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Before taking the town to court, however, the applicant withdrew that suit. Lipscomb said that for two years, with staff time, his time and attorneys costs, Cornerstone is seeking less than what it has actually cost the development. He expects legal fees on his end will amount to around \$125,000. Im looking for the town of Fraser to live up to its agreements, Lipscomb said. It is unfortunate we were put in this position by the town of Fraser, and I am very hopeful we will come to a fair resolution. Stay tuned, **Durbin** said.

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Vail Daily News  
February 12, 2008

### Colorado town loses ‘icebox’ title

Author: Stephanie Miller

FRASER, Colorado ” Fraser Town Manager **Jeff Durbin** looked coolly across his desk at the certificate of registration from the U.S. Patent and Trademark Office, as the wind and snow howled against the window pane in his office. “I don’t have a whole lot to say,” he said, glancing at that piece of paper that “certifies” International Falls, Minn., as the official town designated “Icebox of the Nation.” “As of this point in time, our application has not been withdrawn. We’re evaluating what this means.” **Durbin** was tight-lipped about the certificate of registration, but a feeling of “to be continued” hung in the air. “If nothing else, we’re still cool,” he said.

The Minnesota city on the Canadian border had been fighting the town of Fraser for the legal right to the trademark. International Falls Mayor Shawn Mason said more was at stake than bragging rights. She said International Falls has used the icebox title to market itself as the nation’s premier site for cold-weather testing. International Falls City Attorney Joe Boyle said his town can prove that it has used the moniker since 1948. And the city has photographic proof that its 1955 Pee Wee hockey team traveled to Boston with jackets saying, “The Icebox of the Nation.”

International Falls paid Fraser \$2,000 in 1989 for dropping its claim to the title. But when the Minnesota community of 6,500 people failed to renew its trademark, the Colorado town jumped. “They let it lapse and we thought, heck, if they don’t want it, we do,” Fraser Mayor Fran Cook said. “This is the first I’ve heard of any resolution and I have to admit I’m surprised.” Cook said little will change even if Fraser’s lawyers confirm defeat. “It’s something we’ve always gotten a kick out of and it will not disappear from the old-timers’ lingo,” she said.

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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Rocky Mountain News

June 8, 2002

### **1,000- Plus-Acre development to transform sleep town of Fraser Koebel project near Winter Park will include hotel, homes, golf course**

Author: John Rebchook

Fraser, the tiny mountain town that once called itself the icebox of the United States, is now a hot property for one of Denver's most prominent developer families. For the past several years, the Koebel family, which has long ties to Fraser, has quietly been setting the groundwork for a 1,150-acre master-planned resort community next to Fraser and Winter Park Ski Resort called Rendezvous. In addition to the first 1,000 acres, Koebel Co. is in the process of annexing an additional 200 acres to the town. The first phase of the project, 55 exclusive mountain home sites, is under way.

Exact details of the entire -project are being kept under wraps. But eventually it will include hundreds, if not thousands, of homes, an 18-hole golf course, a hotel and retail space. Buz Koebel, who heads the company founded by his father, Walt, will unveil details of the massive Rendezvous next week. Rendezvous will likely change the face of the town with a year-round population of 910. According to preliminary plans, the first phase, called the Ridge at Rendezvous, will include 55 home sites, with construction beginning this year.

The Koebel family is no stranger to development. It built six communities in Cherry Hills Village, The Preserve in Greenwood Village, the Breakers in Denver, Vail Cascade Village and a 1,000-acre residential development in Douglas County. The Koebel family traces its roots to the Fraser Valley to 1915, when Buz Koebel's grandfather Carl Norgren went to the area with hopes that the dry mountain area would cure his tuberculosis.

In the 1940s, Norgren bought the 1,200-acre Byers Peak cattle ranch with Askel Neilsen. Later, Norgren's daughter, Gene, married Walter Koebel. The ranch became known as the "Western White House" in the 1950s, because President Eisenhower liked to vacation and fish in the area. Before selling the Byers Peak Ranch, the family used to vacation there. Buz, in fact, learned to ski in Idlewild.

Four or five years ago, Koebel Co. bought the nearby Rendezvous property, then known as Maryvale, from investors who had bought the spread from Regis College (now Regis University). Pioneer rancher William Zane Cozens had donated the Maryvale property to Regis in 1904. For decades, Jesuits at Regis used Maryvale for retreats. The Rendezvous accounts for the vast majority of the land in Fraser and includes the meadows along U.S. 40 between Winter Park and Fraser, which serves as a buffer between the town and the ski resort.

While the project has elicited mixed reactions throughout Grand County, most people want to see the meadows preserved, with most of the development to occur in wooded areas, said **Jeff Durbin**, Fraser town manager. "That's sort of become the barometer for the whole project," he said. "You see moose and other wildlife in those meadows," which a lot of people would like to

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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see remain as open space, **Durbin** said. ``There's a lot of symbolism there; it really is the gateway to Fraser," **Durbin** added.

Exactly how much will be built at the Rendezvous is unclear. But one thing is certain - it will be far less dense than a plan approved by Fraser in 1986. When the economy was collapsing in the mid-1980s and Regis still owned the land, Fraser annexed the property and approved a plan for a maximum of 480,000 square feet of retail space, 3,327 housing units, an 18-hole golf course and 2,600 hotel and lodging rooms.

The annexation quadrupled the size of Fraser. If built out, the project would have increased the population of the town by more than 50 times. ``Those maximums are all coming down," **Durbin** said. ``I mean, 480,000 square feet is the size of a regional mall. That was definitely the kind of maximum density that Fraser never could support. Today, we're looking at those maximums to come down to a much more realistic figure. How much, we don't know."

Bob Temple, 73, who grew up in northwest Colorado and has lived in Fraser for 22 years, likes the revised project. ``I think it is a very good plan," Temple said. ``I'm pleased with all of the attention they've given to people's comments and complaints about developing in the valley. ``It's pretty well planned out. They've got a project up on the mountain that is a marvelous development. You can't see it from the road, and the lots are very big and expensive. It's just a super project."

And while the Rendezvous has drawn little attention in the Denver area, that's not the case in the mountains. ``As a whole, Rendezvous has gotten the most scrutiny of any project in Grand County," **Durbin** said. ``(The Koelbels) get their feet held to the fire. Jerry Jones heads the nearby Grand Elk development in Granby, which has 471 acres and a completed value estimated at \$420 million.

One of the first things Jones did after buying the property was to set up a meeting with Buz and Walt Koelbel. ``We think (the Rendezvous) is good," Jones said. ``We saw Buz and Walt and told them what we were doing. And we wanted them to know that we were going to be good neighbors." Rendezvous, Grand Elk and the planned redevelopment of the Winter Park ski area by Intrawest Corp. of Canada are among the projects that promise to make Grand County a year-round destination resort, Jones said.

Intrawest is in negotiations with the city of Denver, which owns Winter Park Resort, to redevelop the ski area and surrounding land. ``I'm very bullish on Grand County," Jones said. ``Grand County is ready to explode. Common sense tells you that with all of our recreational value, (Grand County) provides the only affordable alternative to Summit and Eagle counties."

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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The Naperville Sun

March 22, 2000

### **Development director plans to leave Plainfield**

Author: Karen Hanson

**Jeff Durbin**, Community Development director for the Village of Plainfield, will leave his position effective April 14 to take a job with a town near Denver. **Durbin** will serve as community development director in Fraser, Colo., a resort community in the mountains west of Denver with a year-round population of about 1,000 and a seasonal population from 10,000 to 15,000. **Durbin's** wife Carolyn, a sales representative, has been transferred to Denver. The couple has two daughters.

**Durbin** has served as Community Development director for two and half years. When he was hired in 1994 as a village planner, Plainfield's population was 5,600. Since then, the village has grown to more than 12,000. More than 1,000 new homes have been built in the village in the past three years. "This job has been rewarding in so many ways," **Durbin** said. "This community has a real strong commitment to the downtown area, with such projects as the downtown design contest, the building of the new post office, the development of the TIF (Tax Increment Financing) District, the purchase of the site for the new village hall and the re-establishment of the village hall as a downtown presence. All those things are not by any means complete, but we've made a lot of progress on them."

**Durbin** has high praise for the village staff and, in particular, the 16 employees making up the Community Development Department. "This town is really committed to providing a high level of services to the residents," **Durbin** said. "The staff looks for a high level of quality in terms of product and building inspection. It's a top-notch department."

**Durbin** lived in Colorado for five years shortly before moving to Plainfield. He said he looks forward to the opportunities to pursue personal goals and a different lifestyle, but he will miss the friendships he has formed here. "Leaving here is the hardest thing I've ever had to do," he said. "I've truly enjoyed it here." Although the village board has been informed of **Durbin's** resignation, it has not yet had the chance to act on it. In a statement, Mayor Richard Rock said, "**Jeff** assisted in guiding the village through a tremendous growth period. His leadership will be missed."

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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[CB&A Note: Only the information relevant to **Jeffrey L. Durbin** is listed below]

The Naperville Sun  
February 16, 2000

### Community in Brief

#### NEW SOFTWARE SYSTEM PLANNED FOR BUILDING AND INSPECTION

A new software package for Plainfield's Community Development Department promises to streamline the processing and recording of building permits and inspections, according to Community Development Director **Jeffrey L. Durbin**.

**Durbin** said the software, called Govern, will increase the efficiency of the Building and Zoning Department in logging and tracking about 30 permit types, logging inspections and tracking contractors working in the village. The new system will also allow the integration of information from the Public Works Department, the Finance Department and the Plainfield police.

The present system is 10 years old and DOS-based, **Durbin** said. The current database will be transferred to the new system, **Durbin** said. Last year housing starts in Plainfield numbered 776, an all-time high, and the trend of growth is continuing. In January, permits for 62 units were issued, about double the amount issued last January, **Durbin** said.

The approved contract with GeoAnalytics Inc. of Park Ridge will also include consulting for the development of a Geographic Information System (GIS). Total cost of the project, including software, implementation and consulting, will be \$65,835.

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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The Herald News  
November 11, 1999

### Plainfield works on parking puzzle

#### Spaces downtown: problem might not be volume—but location

Author: Nancy Carr

Plainfield officials want people to shop downtown. But shopping downtown means parking downtown. And that's not always easy. Village President Dick Rock knows the problem well. Before he became president in 1997, Rock owned a popular deli on Lockport Street. In the early 1990s, he watched as Lockport Street lost about one-third of its 66 spaces when the state mandated that it offer parallel instead of angled parking to provide wider traffic lanes on U.S. 30. "It was a big cut," said Rock, who is in favor of creating more parking spaces downtown. "(People) can't park all the time where they want to park."

Soon after taking office, Rock created a village parking committee to identify the village's current and future parking prospects. The parking committee is made up of members of the Chamber of Commerce and MainStreet Plainfield Inc., Trustee Ray Smolich and police Chief Don Bennett. The village's community development director, **Jeff Durbin**, and planner Rodd Hansen set the committee's agenda and moderate discussions. "Because of this committee, we're starting to form a real plan for parking instead of just accepting what happens willy-nilly," said Smolich, pointing out that the committee's role is not to take action on parking issues, but to make recommendations to the village board.

The committee, Smolich said, is not necessarily of the opinion that there isn't enough parking in downtown Plainfield. But its members believe that parking isn't laid out proportionately for where the retailers are. That opinion is echoed by Plainfield's economic development coordinator, Larry Vaupel. "We need to do a better job of locating parking in the business district," Vaupel said. "When people can't pull up in front of a store, which is what owners would like, it looks like there's a lack of parking." The village currently has about 22 spaces along Lockport Street, which have either a 30-minute or 2-hour time limit. The lots on Illinois Street just north of the public library and on DesPlaines Street just south of Lockport Street provide parking for about 110 more cars. But the DesPlaines lot is usually filled with workers, not shoppers, during the weekdays. Illinois Street, DesPlaines Street and Chicago Street also offer parking, but not right in front of the Lockport Street shops.

**Durbin** said Plainfield has a total of 300 to 350 parking spaces. The exact number, he said, is difficult to calculate because the number of spaces on some side streets varies depending on how close cars are parked to one another. The number of parking spaces Plainfield needs, based on 1996 retail statistics and calculations provided by the Institute of Transportation Engineers, is 500. But that figure is based on each driver parking his car and patronizing only one store.

When people park and shop at a number of different stores, **Durbin** explained, the number of necessary parking spaces decreases. But with new restaurants set to open in the village and beautification projects aimed at bringing more shoppers downtown, more parking spaces soon

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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might be necessary. Parking studies also demonstrate, **Durbin** said, that people don't want to stray more than 500 to 600 feet from their cars when they go shopping. If stores are located any farther than that, there's a greater chance that people won't make it to their intended retail destination.

Presumably with that kind of convenience factor in mind, the village bought land for a parking lot on Division Street, at Lockport Street's eastern extremity, in August. But the future of the 30 to 40 parking spaces is in jeopardy, as the village and the Plainfield Public Library duke it out in court over who should own the property. Village Administrator Terry Burghard declined to comment on the village's overall parking plans while still in litigation. But Lockport Street store owners had plenty to say. "We definitely need more parking in peak times and on weekends," said MaryAnn Waldorf, owner of Gourmet Junction, 505 Lockport St. Waldorf said she is confident that the village will pull through with more parking. "A lot of people are hesitant to park on Lockport Street because it's dangerous and because of the semis. And a lot of people don't want to walk two or three blocks to get to the businesses." Waldorf sometimes gets calls, she said, from potential customers who said they would stop at her store if she had parking spaces. And that situation won't get any better in winter. "When it gets cold and icy, if people aren't able to park, they won't be able to stop," Waldorf said.

Across the street, at Cafe Orleans, owner Tracie Tobin's main problem isn't a lack of parking. In fact, she doesn't like the idea of the village making parking lots out of what could be prime retail space. Her concern is that people can't park for more than two hours in most places without getting ticketed. "People could shop more if there wasn't the two-hour restriction," Tobin said. "Even though there is a city lot, my suggestion is to keep the main street (limited to) two hours, and make the side street four hours for people who want to do more shopping."

John Bates, owner of the Lockport Street Gallery, at 503 Lockport St., said he has no qualms with the parking situation in the village. "I'm really pleased with parking right now," said Bates, a member of the parking committee and president of MainStreet. "If we continue to convert service businesses to retail, there may be more of an issue." For the most part, that pretty well sums up parking in Plainfield. Although it might not be terribly convenient, for now, there is enough room for downtown shoppers to park. But as downtown continues to attract more retailers and shoppers, the village will have to start to adapt. "Right now is the time to get that accomplished," said Smolich, referring to the committee's goals of identifying future lots and securing money. "If we don't do anything right now, we'll have a critical problem."

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By the numbers: 300 to 350: Parking spaces in Plainfield 500: Parking spaces needed in Plainfield 66: Parking spaces on Lockport Street 40: Parking spaces in the DesPlaines Street lot 70: Parking spaces in the Illinois Street lot 500 to 600 feet: Distance shoppers are willing to walk to a store

The Naperville Sun  
November 17, 1999

**Soccer Fields or Nature Trails? Plainfield officials look at the nature of open space**

Author: Karen Hanson

Five years ago, Plainfield's population was just more than 5,000. A five-minute drive would take you to the wide-open spaces, where you could gaze, if the corn wasn't too high, for miles across the countryside. Today the population almost has doubled and village officials project it may double again, to 20,000 people, by 2005. Housing developments are going up at a breakneck pace. This year more than 600 building permits were issued by September, surpassing last year's total by 100. About 30 percent of new homes in the Chicago area are built in Plainfield, according to Community Development Director **Jeffrey Durbin**. So where are the wide-open spaces now?

As Plainfield continues to grow, village officials are hoping residents still will find open space within walking distance from their front doors. "Open space defines the community and greatly affects the quality of life," said Terry Burghard, village administrator. Without open space, the town would be just streets, sidewalks and rows of houses, Burghard said. "That's not a community," he said. Plainfield ordinance requires developers to set aside 5.5 acres of open land per 1,000 people in each planned development. But, as Burghard told the village trustees last month, although everyone wants open space, it is difficult to define "open space.". Are parks open space? Do school playgrounds count? What about water and drainage areas? Even after a two-hour workshop Oct. 11 focusing on the issue, village officials still are wrestling to develop a definition of open space and implement a policy for preserving it. Trustees agreed that schools should not be counted as open space. But whether detention ponds and natural-water areas can serve a community as open space remained unresolved. Should water count as part of the developers' required land top be set aside? And if so, how much? "We're just starting to work on it," **Durbin** said.

As the ordinance stands, water is not considered part of open land, but it sometimes has been negotiated as such, he said. Detention-pond areas, if landscaped and developed with trails, gazebos or benches, can enhance the quality of life in a community. But open space should be accessible, Burghard said. Detention basins between a row of houses and a highway, with no access to residents, is not a benefit to the community, he said. "The function (of a detention pond) is to retain water," Burghard said. "It benefits only those people whose houses are adjacent to it. If it's by a major highway, nobody's going to let their kids play there."

**PARKS** Until now, "open land" usually has been interpreted as parks and turned over to the Plainfield Township Park District for eventual development, **Durbin** said. In the past five years, the number of parks almost has tripled, from 12 parks to 33. Almost all new parks are neighborhood parks in new developments, said John Vann, Plainfield Township Park District assistant director for parks and planning. A neighborhood park usually is less than 5 acres in size and includes a playground, a basketball or tennis court and, if space allows, practice fields for baseball or soccer. The No. 1 priority for families moving into the area is someplace for children

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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to play, Vann said. "Everybody wants a playground," he said. But as the number of children in the community grows, the demand continues to increase for game fields for sports leagues, Vann said. "You can only field so many teams on so many playing fields," he said. The district has 16 soccer fields and 22 baseball diamonds used for organized sports leagues. Most of these are in the community parks, Four Seasons and Van Horn Woods, Vann said. The district also has agreements with Walker's Grove School and Grand Prairie School to use fields on school property. The new Community Park on Renwick Road, scheduled for completion this fall, will include three ball diamonds and three soccer fields. The community parks have adequate space for the parking and facilities needed for large gatherings of people on game days. Soccer and ball fields are used best for team practices because they are smaller and children living in the neighborhood can walk or ride their bicycles to practice, Vann said.

PASSIVE RECREATION But some Plainfield village officials said the concept of open space should be something different, or something more, than a park. "Open space should be passive or spontaneous," said Raymond Smolich, village trustee. "Parks are for utilitarian purposes, designed for organized activities." It's important to have tot lots with playground equipment and sports parks for planned group activities, Smolich said, but a community also should have areas for individual or family activities such as flying kites, practicing sports skills or kids' birthday parties. Open spaces also should be more natural and more serene than a park, providing a quiet setting for someone who wants to read a book or sketch a picture, Smolich said. The district has areas for passive recreation, but most of them are in large community parks, Vann said. A few parks, such as the 18-acre Riverwalk Park and Electric Park along the DuPage River, almost are exclusively "turf and trees," he said. Vann said Four Seasons and Van Horn also contain large areas of land left in its natural state. But neither Van Horn nor Four Seasons is near where the majority of people in Plainfield live. Most families would have to drive several miles to use these parks. Only a few neighborhood parks, such as Harvest Glen Park, have room for passive recreation. With the small size of the land donation requirement for new developments, meeting the demand for playing space and natural areas is difficult, Vann said. "To do both requires larger neighborhood parks," he said. The district thinks open space is important, said Director Greg Bott, but people moving into new developments in Plainfield want neighborhood parks with playgrounds, not passive recreation areas.

He said 3 or 4 acres isn't enough for a playground and open space. "We would very much be in favor of additional land donation for use as open space," Bott said. How open space should be developed and who should do the developing is the next big issue village officials must decide, Smolich said. "In the past the board would not dictate how the park would use or develop the land," Smolich said. But at the Oct. 11 meeting, suggestions were made to put guidelines on how the developers' land contributions should be used, Smolich said. Smolich said he would like to see the park development issue open for discussion. "If you can talk about problems, you can come to some kind of solution about them," he said. But it may not be possible to develop a one-size-fits-all open-space policy. "Every property has its own unique attributes and qualities," **Durbin** said. The optimal use of open-land requirements -- whether for parks or open space -- depends on the features of the site, he said. "For good quality of life, you need both," he said.

Herald News, The (Joliet, IL)

May 28, 1999

## FENCING DUEL | COUPLE FIGHTS PLAINFIELD OVER BAN ON FENCED-IN SIDE YARDS

Author: Stewart Warren

Maria Usrey wanted a fenced back yard. She didn't realize it would cause the village to take her to court. When Maria and her husband, David, chose their first house, a tan two-story on a corner lot at 23721 Orchard Lane, they started shopping for a fence. In fact, they chose a fence company before they closed the real-estate deal. The couple thought a fence would make life easier, more enjoyable. It would create a safe place for their daughter to play. Their dog would have plenty of room to run.

Because the house is on a corner lot, the fence company suggested a 4-foot-high fence enclosing the rear yard and part of the side yard. The Usreys liked the idea. Unfortunately, they didn't know that Plainfield's zoning laws don't allow fenced-in side yards. "We thought that the more yard we have, the better the environment we can have for (our daughter) and her friends," Maria said.

Red sticker

When the Usreys signed the contract, they asked the fence company to get the necessary building permit from the village. At the time, the couple was living in Gurnee and couldn't drive to Plainfield to apply for one. A representative from the company agreed, but the Usreys didn't get that in writing. They closed their real-estate deal in late August 1998. The cedar fence with ornamental posts was installed three days later.

In early September, the Usrey family left town for a weeklong vacation. "We came back, and there is a red sticker on our door that we are in violation of village codes and ordinances," Maria said. A village inspector had spotted the illegal fence, said Rodd Hansen, a planner and Plainfield's code enforcement officer.

The village doesn't allow the fences for a reason, said **Jeff Durbin**, Plainfield's community development director. They give the streetscape a "closed" look. "Historically, the village has wanted a more rural landscape, a more pastoral setting," **Durbin** said.

Other towns allow fenced-in side yards, Hansen said. Aurora and Joliet permit fences if they are no more than 4 feet tall. Naperville, Oswego and Romeoville allow fences that are 3 feet tall or less.

Court, planning decisions

So the Usreys began the process of unraveling the mess. They found out that the fence company never got a building permit to do the job. On the couple's behalf, the fence company applied for a zoning variance from the village.

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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In the meantime, the village filed a lawsuit asking that the fence be removed. Although the case is pending in court, officials have asked the judge to delay his decision while the village plan commission considers the issue, Hansen said.

Plan commissioners have discussed the matter during two of their recent meetings. They haven't voted yet, but their minds are made up, said Jim Sobkoviak, chairman of the plan commission. "We have pretty much agreed that we can find no compelling reason to change the ordinance," Sobkoviak said. The look of the streetscape was one issue, he said.

They also considered public safety -- a fence could conceal someone or something near the corners and on the sidewalk. That could lead to a car hitting a pedestrian, he said.

"We also have to bear in mind that the side yard at a corner is right next to someone's front yard - the next-door neighbor. If that person who does not have a corner lot cannot have a fence in the front yard, why should he have to look at a neighbor's fence right along the front yard?" Sobkoviak asked.

The plan commission will vote on the issue Tuesday, Sobkoviak said. But the Usreys still want their fence. They aren't happy about the situation. "Our home doesn't apply to the safety issue. We aren't blocking a driveway view with a sidewalk. We are not blocking the intersection," Maria said.

Now the couple is thinking about moving somewhere else. "We pay taxes on 100 percent of our property, but we can't make use of 100 percent," she said. "We would not have bought the house if we were aware of this."

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Jeffrey L. Durbin

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The Herald News

March 11, 1999

### Plainfield envisions future of southwest side

Author: Stewart Warren

As the village grows, houses will dominate the southwest side of Plainfield. But officials also want to see something different -- maybe a hospital, a recreation center or a large park -- in that area. The planning and development committee discussed the southwest area Wednesday. It was a brief meeting. Trustee Kathy O'Connell, one member of the three-person committee, didn't attend the session. Trustee Jay Darnell had to leave early. Nevertheless, the committee began talking about the future of the farmlands that are roughly west of Old Indian Boundary Line and County Line roads. Trustee Ray Smolich would like to see something in the area that would distinguish Plainfield from nearby Joliet. Someone once talked to the village about putting a hospital out there, he said. Perhaps a large park or a recreation center would do the trick, he said. "I'm open to anything out there," Darnell said, adding that he wouldn't be indiscriminate. "You know as well as I do that everyone out there wants to sell now." That's an important point. Until 2005, the village has a boundary agreement with Joliet. Although the dividing line is difficult to describe, Joliet has promised not to annex land north of Caton Farm Road. Plainfield won't go south of the line. The village wants to make that boundary permanent by annexing available parcels. To accomplish that, the trustees are willing to accept developments with higher densities, or more homes per acre, along the border, said **Jeff Durbin**, Plainfield's community development director. These days, the trustees prefer densities of about 2.5 units per acre.

To encourage growth in the village, they are willing to accept as much as 3.5 units per acre along the boundary. Joliet already allows higher densities in the area. And because more homes mean more money, Plainfield must permit similar situations. Or property owners will annex to Joliet instead of the village once the boundary agreement expires, **Durbin** explained. "We are kind of in a trick bag here," Darnell said. "We have to get sewer and water out there. If we don't, Joliet will take it." As part of the proposed 1999-2000 budget, the village might borrow \$8.8 million to improve its water and sewer system. Much of that would be used to extend the village's water and sewer system to the southwest. When that happens, more growth will follow. "I think we started the initial stages of planning," Darnell said. "We gave them (the property owners who are considering annexations) densities."

During the meeting, Trustee Ray Smolich said he wanted to develop an overall strategy for the area. He talked about several issues -- should Walker Road become a boulevard, perhaps with low-rise buildings housing doctors, dentists and other professionals, for example? Should there be a plan to capitalize on the proposed Wikaduke Trail and other major roads? The area probably will have grocery stores, dry cleaners and other family-oriented businesses -- where should they go? Roads are the important thing, Darnell said. "If we come up with the roads and where they will be, that will dictate where the commercial corners will be," he said. Plans for the southwest side probably will be discussed again at the April 14 meeting of the planning and development committee, **Durbin** said.

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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The Herald News

March 8, 1999

### **Plainfield treading on Park District turf developing park land: 'It's what we do', says parks director**

Author: Valerie Vedral

Nothing's definite yet, but village and park district officials are closer to resolving their tiff over who should own and run some parks. "It seems to me that we're starting to move past what used to be an issue between the park board and the village board," said **Jeff Durbin**, Plainfield community development director. **Durbin** said the issue arose a little more than a year ago when the village acquired a piece of flood-plain property on the DuPage River near downtown. The village's desire to acquire the land was spurred in part by the parcel's location.

But **Durbin** said village officials also were worried that the park district -- with boundaries that include some parts of Joliet and Crest Hill -- might not be as concerned about the land as the village would be. "The park district is much larger geographically than the village," he said. Normally, park land is donated to the Plainfield Township Park District. "That's the way it worked for years up until this recent issue came up," said Greg Bott, park district director.

Other park lands have been acquired by the village when officials negotiated with developers instead of the park district, and it's that practice that has frustrated Bott and other park district officials. "Our preference, obviously, is to go back to the way it was," Bott said. Bott said the park district already has the staff and training necessary to care for park lands. The village, on the other hand, does not. "We are currently geared up to plan and develop and maintain those sites," he said. "It's what we do."

Now, officials on both sides are hoping to end the competition and resolve the issue. "We shouldn't be competing with each other," **Durbin** said. "There should be some sort of policy that we can work with." A working policy both parties can adhere to may come in the form of a lease. The village wants to retain some authority over newly acquired park lands, and the creation of a lease -- for which there would either be a small fee or no fee at all -- would allow the village to own parks in Plainfield while allowing the park district to maintain and develop those lands.

Meetings are planned to discuss the idea. "It's important that we have those parks developed and available for the residents to use," **Durbin** said. Bott said the park district will continue to communicate with the village to see what can be done, although "obviously we want to continue to be the ones to negotiate and continue to own the park sites."

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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The Naperville Sun

June 3, 1998

### **Here's to you, Plainfield**

Author: Benjamin Cox

Allen Persons experienced a milestone in Plainfield history shortly after he came to work for the village 10 years ago. For the first time, the village surpassed 1 million gallons of water consumption in a single day. Now, 2.2 million gallons per day is standard during the summer. Winter runs around 900,000 gallons per day. Since Persons, now superintendent of public works, began working for the village, 20 subdivisions have sprung up in town. With that comes a growth rate of some 1,000 people each year. "All the service related to that growth is what really makes it a challenge," he said.

While Persons and community development director **Jeffrey Durbin** feel they are keeping up with the growth, they know the increasing need for water and sewer service is something they have to keep on top of. "Unless we see a major change in the economy things will continue at this rate or increase," **Durbin** said. In 1990, the village population was around 4,600. Preliminary estimates from the recent special census are putting the figure at around 9,000, **Durbin** said.

The village board recently approved a contract with Chicago Bridge and Iron, a local company, to build a new water tower. It will be Plainfield's third water tower and will more than double the village's water storage capacity, adding 1 million gallons to the current 950,000-gallon capacity. The cost to design and construct the new tower is \$1.25 million and the project will be complete in about a year, Persons said.

Within the next two years the village will need to dig a new well, Persons said. The well will be located on the same site as the new water tower at the corner of Van Dyke Road and 119th Street. The design and construction cost will run in the neighborhood of \$2 million, Persons said. Currently the public works department is increasing the water pressure for customers north of 127th Street from 45 pounds per square inch to 80 pounds per square inch.

While Plainfield is generally flat, that part of the village is about 30 feet higher in elevation. "It's more for fire protection than anything else," Persons said. Around half a million gallons of water were needed to put out the Seating Concepts Inc. fire in April. So, the village has to be concerned with providing safe drinking water and having a sufficient quantity available for fire protection, Persons explained. "On the sewer side we have more of a responsibility to the environment than to anything else," he said, adding that once village waste water is treated it is discharged into the DuPage River.

The village is currently running at 78 percent capacity for sewer service. And if growth continues at its current rate, a new facility will be needed in the next three to four years, he said. "That's a challenge right now," Persons said, "to keep up on the water side as well as the sewer side." The village is working on the engineering plans for a new waste water treatment plant, which will

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Jeffrey L. Durbin

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take nearly a year to complete, he said. Then it will take around two years to build the facility. The cost will run between \$5 million and \$8 million, Persons said. "It's not that far off in the future," he said. "It seems the time just flies by."

**Durbin** and Persons both said the village should be in good shape once the current projects are complete. However, the need for more water towers could arise depending on where growth occurs. If the village begins to develop in the southwest, more water storage would probably be needed. "Once those things are done, we're not necessarily done, per se," **Durbin** said. "A lot of it really depends on how we grow and where we grow." Persons said the village is doing better than some of its neighbors. "I think the village is keeping up compared to a lot of the other communities in the area," he said, adding that Joliet has already announced a sprinkling ban for the summer.

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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The Herald News (Joliet, IL)

March 1, 1998

### **Plainfield's character etched in historical downtown**

This village might not be unique in that it straddles two townships and has a river meandering through the downtown area, but founded in 1829, it can live up to its motto, "Will County's Oldest Community." **Jeff Durbin**, community director, sees the character of this rapidly growing village etched in its historical downtown, "a place to be proud of with its variety of businesses and restaurants attracting visitors as well as residents." "We are spread over 7.5 square miles throughout Plainfield and Wheatland townships," **Durbin** said.

"In a special census taken in 1995, the village (not including unincorporated areas) had a population of 7,163. We expect to gain another 2,000 residents through a special census taken in February." "We completed a design program for expanding downtown Plainfield in 1997," **Durbin** said. "In 1998 we plan to construct a Riverwalk along the DuPage River where it winds through town. The river is a focal point, connecting undeveloped farmland west of the river to the downtown area, giving a strong sense of community." He said that due to its tremendous growth, Plainfield is attracting many new businesses. The village has the infrastructure of available utilities and open land space to support a great potential of new businesses. The village is working with the 1995 Comprehensive Plan to guide growth of residential and commercial areas. Anticipating Plainfield's future population expansion, a referendum was approved in 1997 to build two new elementary schools, a middle school, a new high school and an addition to the existing high school that will be used for incoming freshmen. This will be in addition to the existing six elementary schools, two junior high schools and high school.

There is one parochial elementary school, St. Mary's Catholic School. Plainfield has 16 churches of different denominations from which residents can choose to worship in. There are 23 parks with many recreational opportunities covering 293 acres. The public library offers many programs, including special children's programs. **Durbin** said Plainfield saw a lot of things accomplished during 1997, including working on resolving problems caused by the 1996 flood. In a bit of serendipity, the flood caused Plainfield to make decisions that had only been thought about. "Our current Law Enforcement Center was previously occupied by both the police department and village offices," **Durbin** said.

The flood caused significant damage to the building. "Our village offices moved to a retail plaza on U.S. 30. The Law Enforcement Department cleaned out, remodeled, expanded, then moved back into their former building. They needed more room -- now they have it -- the flood forced the issue." The village offices eventually were relocated in downtown with plans to purchase a different downtown site to build a permanent village hall. **Durbin** sees one of Plainfield's biggest challenges as resolving transportation issues. "We are working on the congestion caused by the downtown truck traffic," he said. "Route 30 and Route 59 create heavy traffic patterns. We are committed to improving and meeting our transportation needs."

## Internet – Newspaper Archives Searches

**Jeffrey L. Durbin**

*(Articles are in reverse chronological order)*

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The Naperville Sun

January 14, 1998

### **Plainfield Village officials weigh development laws**

Author: Christine Grosz

An ailing village president and a vacationing trustee kept discussion of a development standards survey to a minimum during Plainfield's board of trustees workshop meeting Monday night. Village President Richard Rock, who has been hospitalized since early December with a viral infection, and Trustee Steven Rathbun missed the discussion. In their absence, board members heard an overview of the survey results. Trustees and members of the Plan Commission have completed a survey on development policies and standards.

The survey was designed to help the staff find and fix problems with current laws, said **Jeffrey Durbin**, acting community development director. Despite trustees' questions, he was pleased with the results. "Your first reaction was what I was anticipated as an answer," he said. "There's always a 'What if.' " However, those "what ifs" are what trustees want to sit down and hash out among themselves before moving on to a meeting with the Plan Commission. "As a general rule, I think we could work out of this thing some policy changes and ordinances that we've been asking for all along," said Trustee Kurt Stalzer.

**Durbin** and Village Administrator Terrance Burghard pointed out the many areas of agreement between trustees and the Plan Commission. These include desires for more open space, diversity among neighborhoods, more innovative developments, avoiding private residential streets and managing Plainfield's boundaries. Other topics are basically supported by both groups but need discussion on details.

Economic development, architectural standards and code compliance were some of those issues. "The primary differences were related to newer policies and newer things that have come up on this board, and then code interpretation," **Durbin** said. The Plan Commission has been following village laws literally, he said. The board's focus has been "not so much what the code says, but trying to do the right thing," he said. "But isn't that the nature of the beast?" Stalzer asked. "We're questioning the rules, and they're following them verbatim."

The planning staff was asked to give the Plan Commission a summary of the board's results. **Durbin** also said he would develop more detailed questions for issues that need discussion. The village president, who remains hospitalized, has not completed his survey. Rock is hospitalized at Provena Saint Joseph Medical Center in Joliet, where he returned for treatment after a brief visit home for the holidays. It isn't known how long he will stay in the hospital, but his wife, Mardel, has said he is in good humor. In his absence, Stalzer is acting as village president.

**Internet – Newspaper Archives Searches**

**Jeffrey L. Durbin**

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<https://www.chicagotribune.com/news/ct-xpm-1997-05-07-9705070199-story.html>

Chicago Tribune

May 7, 1997

**VILLAGE PLANNER TO STAY ON, WITH HIGHER PAY**

Author: Regina Waldroup

Plainfield decided this week to retain its village planner, who had turned in his resignation, and to give him a raise and change his title to director of planning. The decision was announced by officials Monday after an executive session.

Village Planner **Jeffrey L. Durbin** resigned in April to take a similar job in Lincolnshire. Village officials said the resignation was received by the zoning director but never accepted by the Village Board.

**Durbin** will have his salary boosted to \$43,000 from \$38,000, and after a three-month evaluation, his salary will be \$45,500.

## Internet – Newspaper Archives Searches

Jeffrey L. Durbin

*(Articles are in reverse chronological order)*

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The Herald News (Joliet, IL)

April 22, 1997

### **Coming to Downton Plainfield New Building: First in 50 years also to house Village Hall**

Author: Kim Smith

It hasn't happened in more than 50 years. A new building is coming to downtown. "It is called the Village Center," said **Jeff Durbin** of the building and planning department. "It is part of the new downtown development." The new 20,000-square-foot building will sit on a lot on the southeast corner of Lockport and DesPlaines Streets where a building was destroyed by fire more than a year ago. Plans for the new building started last fall and include a new home for the village hall. The village decided to move out of the building shared by the police department after water damaged the building during last summer's floods. The village moved out to give the police more room and is leasing space in a retail plaza at 23145 W. Lincoln Highway. "This is the first new building our downtown district has had in 50 years," said **Durbin**. "We are lucky to have help from Main Street."

Plainfield was selected last year as part of a new Illinois Main Street program. Lt. Governor Bob Kustra created the program to help revitalize economies in rural downtown districts. Last year, Kustra expanded the program into the suburbs to towns with populations of less than 50,000. Plainfield was chosen along with nine others. "We do not get funds," said **Durbin**. "But we are able to get a lot of technical support." Officials were concerned that a new building could make it impossible for the downtown to be designated as a National Historic District. So they tapped into their Main Street connections. "Their architects were able to tweak our plans to fit (with the downtown area)," said **Durbin**. Another program to link the growing downtown district over the DuPage River is also being helped through Main Street. "We know with growth we need to expand," said **Durbin**. "Our problem is how to cross the river and make it seem like one."

There is also a contest with applicants from all over the world to do the designing. "We have student teams from universities in just about every state," said **Durbin**. "We also have had applicants from Japan, Israel, Italy, Canada and Thailand." **Durbin** said the reason the contest has generated so much interest is because designers are looking at it as a great opportunity. "They want to provide ideas to help us guide our growth," said **Durbin**. Kustra will attend a special ground-breaking ceremony at 2:30 p.m. today. Refreshments will follow compliments of Contract Development Corp., the developer of the Village Center.

Construction of the new Village Center is expected to be complete next fall. The first floor will be leased for a retail business. The village offices will be on the second floor along with some office spaces for lease. "It will be nice to bring back the village to the downtown," said **Durbin**.

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