



AGENDA
HAYDEN TOWN COUNCIL MEETING
THURSDAY, JULY 21, 2016
7:30 P.M.
HAYDEN TOWN HALL – 178 WEST JEFFERSON AVENUE

WORK SESSION 7:00 P.M. – 7:30 P.M.

1. STAFF REPORTS

REGULAR MEETING – 7:30 P.M.

1a. CALL TO ORDER

1b. OPENING PRAYER

1c. PLEDGE OF ALLEGIANCE

1d. ROLL CALL

2. CONSIDERATION OF MINUTES

A. Regular Meeting July 7, 2016

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3. CONSIDERATION OF BILLS

A. Consideration of payment bill vouchers dated July 14, 2016

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4. PUBLIC COMMENTS

5. PROCLAMATIONS/PRESENTATIONS

6. CONSENT ITEMS

A. Decision: Res 2016-21 A Resolution to approve to amend the Personnel Manual

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7. OLD BUSINESS

8. NEW BUSINESS

A. Decision: Resolution 2016-22 A Resolution to approve a Municipal Bond Company

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B. Decision: Resolution 2016-23 A Resolution approving the easement transfer and release from the reclamation bond from Sage Creek Holdings a.k.a. Peabody, from Peabody to Routt County for the Privately Held Haul Road to be converted into a public Routt County Roadway

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9. PULLED CONSENT ITEMS

10. STAFF AND COUNCILMEMBER REPORTS (CONTINUED, IF NECESSARY)

NOTICE: Agenda is subject to change. If you require special assistance in order to attend any of the Town's public meetings or events, please notify the Town of Hayden at (970) 276-3741 at least 48 hours in advance of the scheduled event so the necessary arrangements can be made.

11. EXECUTIVE SESSION (IF NECESSARY)

12. ADJOURNMENT

Staff & Councilmember Reports

Greg Tuliszewski reported on the following:

Yampa Valley Electric Association has a planned power outage at 9:00 p.m. until 12:00 a.m. for transformer work.

Recreation

- Hayden Parks and Recreation baseball and softball programs have come to a close. The girls' softball champion is the Hayden team.
- Hayden Parks and Recreation will host a Bonfils Blood drive on Thursday, July 12, 2016 at Town Hall.
- Concession is up and running at Dry Creek Park and good feedback has been received. The building is hot with the additional equipment and people.

Streets

- Monthly maintenance on water and sewer lift stations
- Poured concrete for sidewalk at the log furniture property due to curb stop repair
- Poured concrete for kennel at Police Station
- Removed weeds from alley easements, water and sewer plants and all pump houses
- Stained privacy fence around Dry Creek Village lift station and Town of Hayden signs
- Painting cross walks
- Cleaned sediment pond at the water plant
- Washed sidewalks and swept Highway 40
- Cleaning sewers

Parks

- Triple Crown continues competing at the Town of Hayden parks and elementary school
- Maintaining park lawns and sprinkler system
- Triple Crown working on our infields to get the ground mixed and firmed up
- Installing sprinklers to the infields at Dry Creek Park

Water and Sewer**Water**

- Business as usual-water plant operation is at peak annual flows and we anticipate flows to remain high through the rest of the summer, unless we get a substantial change in weather.
- The river has dropped several feet recently and we are gearing up for the next big treatment change at the plant. We will start adding powder activated carbon to the water to help with the algae taste in the water. We haven't noticed any algae taste yet, however, it will likely come within the next couple weeks.
- We changed the PLC's (computers processors for our filters) and it has helped with some of the issues with the new computer system. We were able to pay for the upgrade with the money we have saved by not paying our vmSCADA lease January through present. Browns

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Hill Engineering informed the town that it would not be charged the monthly fee until the new computer is fully functional.

Sewer

- Things are finally pieced back together at the treatment plant from this spring. Blowers are running well and the broken force main is still holding from Precisions Excavating's repair.
- We have started the annual jetting of all of our sewer mains. This work will take approximately 2 weeks to complete if everything goes smooth.

Police

- The 4th of July was uneventful – Several dozen warnings handed out about illegal fireworks and one summons.
- Shawn is back from vacation – Russ was a great helping cover the open shifts.
- Reviewing the pay schedule for the Officers and reviewing the benefits and challenges for a 170 hour pay period (28 days) vs 85 hour pay schedule (14 days) for calculating overtime
 - Biggest benefit will be in the area of managing vacation time and having the officers on the same pay period as the rest of the town employees

Administration

- Met with Tim from Routt County in reference to the RV Dump. Routt County will be using the extra manhole set up by the Town of Hayden and is seeking a company to assist with the excavation
- Bryan Richards is moving in a new direction in his life. He has given the town a good resignation notice, is assisting with the hiring process for his replacement, and has been a valued part of the Town Staff. He will be missed and we are wishing him all the best. Staff has been directed to place an advertisement for the hiring process with not only the newspapers, but the various organizations and trade areas that Brian recommended.
- Contacted Chuck Rohre for update on Town Manager Hiring Process
 - 14 -15 apps
 - 3-4 possible to move to next step
 - Recommending extending the recruitment time frame to at least July 21st
- In December Councilman Redmond and Councilwoman Johnson brought up the idea of temporary administrative assistance and concerns about town staff being very busy with work. There are possible changes ahead which would make this advantageous to explore and possibly bring on some additional staff within Town Hall. Based upon the revisions to the Town Manager recruitment process some additional assistance might be valuable at this time. I have requested that staff think about how this position could best be utilized and the time frames we could best use the position.
- Due to several other issues I have been unable to spend a great deal of time at Town Hall in the past couple of weeks. (I.E. Covering shifts while Shawn was on vacation, various meetings

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and functions, call for service, sight visits to construction locations, meeting with various consultants and contractors, etc.) While I have not been present at Town Hall I have been in the Town area, and staff has been able to reach me when needed. I want to recognize both the staff at Town Hall and The Police Department for assisting with this.

- Met with the representatives from Twenty Mile Mine / Peabody Energy in reference to the Haul Road. As part of their bankruptcy, they are divesting and streamlining properties. Twenty Mile has been in contact with Routt County in reference to turning over the Haul Road to Routt County and since the Town owns a small portion of land at the end of the road there is a need to discuss easements.
 - The Haul Road would become County Road and property
 - Easement, including bar ditches would become Routt County responsibility.
 - This easement is already in place as part of Agreements with Twenty Mile and would in essence "transfer" to County.
 - All entities involved are striving to keep this as simple a process as possible. The easement agreements are boilerplate forms and are being forwarded to the Town Attorney for review.
 - As part of the divestment they are looking at turning the rail spur into part of the trail system and working with the State to accomplish this. They are also looking at removing the railroad crossing located on Highway 40 just east of Hawthorne.
 - I advised the Twenty Mile that the Town of Hayden would be happy to assist and would like to participate with future trail systems and proposals, and land disposal.

Councilmember Forrest

- He is interested in pursuing bike trails in the Town of Hayden.

Councilmember Redmond

- Informed the council that the Bank of San Juans is closing and he had not been contacted as a customer or councilmember. He contacted the corporate office and the Vice President will be in contact with himself or Sharon Johnson, Town Clerk.

Staff reports will continue at the end of the meeting.

Mayor Haskins called the regular meeting of the Hayden Town Council to order at 7:32 p.m. Mayor Pro Tem Robinson present. Councilmembers Johnson, Redmond, Forrest, and Hagins present. Also present were Interim Town Manager and Police Chief, Greg Tuliszewski, Town Clerk, Sharon Johnson, and Recreation Coordinator, Jill Delay.

Opening Prayer Mayor Haskins offered the opening prayer.

Pledge of Allegiance Mayor Haskins led the Pledge of Allegiance.

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Minutes –
June 16, 2016

Councilmember Hagins moved to approve the minutes of the Regular Town Council Meeting held on June 16, 2016. Councilmember Johnson seconded. Roll call vote. Councilmember Redmond – aye. Councilmember Johnson – aye. Mayor Pro Tem Robinson – aye. Mayor Haskins – abstain (absent). Councilmember Forrest – aye. Councilmember Hagins – aye. Motion carried.

Consideration of Bill
Payment Voucher
dated June 30 , 2016

Councilmember Hagins moved to approve the bill payment voucher dated June 30, 2016 in the amount of \$111,393.86. Councilmember Johnson seconded. Roll call vote. Councilmember Johnson – aye. Councilmember Redmond – aye. Councilmember Forrest – aye. Councilmember Hagins. Mayor Pro Tem Robinson – aye. Mayor Haskins – aye. Motion carried.

Proclamations/
Presentations

None.

Public Comments

Gordon Dowling, 172 N. 3rd Street, Hayden, CO addressed the Town Council in regards to Yampa Valley Electric Association closing down the Town of Hayden when it affects the businesses of the town and the residents. He disapproves. YVEA could have begun the process at midnight and had less of an impact on the town.

Consent Items

Old Business

Public Hearing:
Ordinance 676 An
Ordinance vacating a
portion of First street
and Cleveland Avenue,
as described in
attachment 1, and
reserving an easement
to the town of hayden
for maintenance, repair
and construction of
water lines on, over and
under the real property
described in attachment
2

Mayor Haskins opened the Public Hearing at 7:43 p.m.
Mayor Haskins closed the Public Hearing at 7:44 p.m.

Decision: 2nd Reading Ordinance 676 An Ordinance vacating a portion of First street and Cleveland Avenue, as described in attachment 1, and reserving an easement to the town of hayden for maintenance, repair and construction of water lines on, over and under the real property described in attachment 2

Councilmember Johnson moved to approve the 2nd Reading of Ordinance 676 An Ordinance approving street vacation. Councilmember Hagins seconded. Roll call vote. Mayor Pro Tem Robinson – aye. Councilmember Hagins. Councilmember Redmond – aye. Councilmember Forrest – aye. Councilmember Johnson – aye. Mayor Haskins – aye. Motion carried.

New Business

Public Hearing: Resolution 2016-20 A Resolution of the Town Council for Hayden, Colorado approving a conditional use permit for 412 Commerce Street, Lot 25 Valley View (Rodney McGowan d/b/a Bayou Breeze Grow Warehouse)

Mayor Haskins opened the public hearing at 8:08 p.m. Mayor Haskins closed the public hearing at 8:11 p.m. Conditional Use Permit (C.U.P.) applicant Rodney McGowan addressed the Town Council regarding his application and timeframes in proceeded. Rodney explained the change from using an existing building and making the decision to build. A potential tenant approached Rodney regarding a lease and the ordinance was going to vote in January, and Rodney made the decision to lease the building to help with cash flow and the already heaving lost in having an empty building. He will need to build for the conditional use permit. John St. Pierre, Hayden, CO addressed the Town Council to point out that it is illegal to receive funds for marijuana when getting federal funding. Theoretically it is illegal; money laundering and since they are dealing in cash will the front desk be able to handle the amount of cash expected to be received. Chief Tuliszewski informed those present that the January special election resulted in a 54% approval to allow marijuana cultivation. The C.U.P. application has gone through the Plan Review and is complete and in compliance. Planning Commission has reviewed the plans according to the Land Use Code and Marijuana Cultivation Municipal Code and has recommended the permit for approval.

Decision: Resolution 2016-20 A Resolution 2016-20 A

Councilmember Hagins moved to approve Resolution 2016-20 A Resolution of the Town Council for Hayden, Colorado approving a conditional use permit for 412 Commerce Street, Lot 25 Valley View

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Resolution of the Town Council for Hayden, Colorado approving a conditional use permit for 412 Commerce Street, Lot 25 Valley View (Rodney McGowan d/b/a Bayou Breeze Grow Warehouse)

(Rodney McGowan d/b/a Bayou Breeze Grow Warehouse). Councilmember Johnson seconded. Roll call vote. Mayor Haskins – aye. Mayor Pro Tem Robinson – nay. Councilmember Forrest – aye. Councilmember Johnson – aye. Councilmember Hagins - aye. Councilmember Redmond – aye. Motion carried.

Discussion: JVA Report on roadway repair and improvement project.

JVA Engineer, Kevin Vecchiarelli, presented the report to the Town Council regarding the extent of repair needed or improvement desired and the costs of each in regards to the studies and the extent of long term repair desired. The Town Council directed Interim manager and Chief Tuliszewski to move forward with the bond issue process to place a ballot question on the November 2016 election ballot.

Decision: Resolution 2016-19 A Resolution of the Town of Hayden, Colorado adopting a fee schedule

Mayor Haskins moved to approve Resolution 2016-19 A Resolution of the Town of Hayden, Colorado adopting a fee schedule. Councilmember Hagins seconded. Roll call vote. Councilmember Johnson – aye. Councilmember Redmond – aye. Councilmember Forrest – aye. Councilmember Hagins – aye. Mayor Pro Tem Robinson – aye. Mayor Haskins – aye. Motion carried.

Pulled Consent Items

None.

Staff and Councilmember Reports Continued

None.

Executive Session

None.

Adjournment

Mayor Haskins adjourned the meeting at 9:03 p.m.

Recorded by:

Sharon Johnson, Town Clerk

APPROVED THIS 21st DAY OF JULY, 2016.

James M. Haskins, Mayor

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Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
1200	Bear River Valley Co-Op	06252016	Streets Vehicle Maintenance - Fu	06/25/2016	594.52	.00		
1200	Bear River Valley Co-Op	06252016	Streets Vehicle Maintenance - Fu	06/25/2016	420.13	.00		
1200	Bear River Valley Co-Op	06252016	Streets Weed Control - Fuel	06/25/2016	67.66	.00		
1200	Bear River Valley Co-Op	06252016	Parks Equipment Expense - Fuel	06/25/2016	269.50	.00		
1200	Bear River Valley Co-Op	06252016	Parks Equipment Expense - Fuel	06/25/2016	78.61	.00		
1200	Bear River Valley Co-Op	06252016	Parks - Trails Vehicle Exp - Fuel	06/25/2016	53.65	.00		
1200	Bear River Valley Co-Op	06252016	Parks - Vehicle Exp - Fuel	06/25/2016	94.00	.00		
1200	Bear River Valley Co-Op	06252016	Water Vehicle Expense - Fuel	06/25/2016	63.05	.00		
1200	Bear River Valley Co-Op	06252016	Sewer Vehicle Expense - Fuel	06/25/2016	63.74	.00		
1200	Bear River Valley Co-Op	06252016	PD Vehicle Maintenance - Fuel	06/25/2016	301.02	.00		
Total 1200:					2,005.88	.00		
12157	Boston, Sandra	07072016	Travel Reimbursement	07/07/2016	356.40	.00		
Total 12157:					356.40	.00		
1310	Boy-Ko Supply Co	56357	DCP Kitchen	06/29/2016	32.91	.00		
1310	Boy-Ko Supply Co	56466	Parks Janitorial Supplies	07/07/2016	65.51	.00		
Total 1310:					98.42	.00		
7900	Browns Hill Engineering &	11565	Service work June 13-17	06/24/2016	2,215.30	.00		
Total 7900:					2,215.30	.00		
1400	Caselle Inc	74038	Support Contract	07/01/2016	366.17	.00		
1400	Caselle Inc	74038	Support Contract	07/01/2016	183.08	.00		
1400	Caselle Inc	74038	Support Contract	07/01/2016	183.08	.00		
Total 1400:					732.33	.00		
3770	CenturyLink	1380376102	PD Phones 1371361706	07/03/2016	66.09	.00		
3770	CenturyLink	3058JUN16	Water Phones_3058	06/25/2016	52.71	.00		
3770	CenturyLink	3741JUN16	Admin Phones_3741	06/25/2016	403.81	.00		
3770	CenturyLink	4330JUN16	Sewer Phones_4330	06/25/2016	54.31	.00		
Total 3770:					576.92	.00		
3870	Grainger Inc	9147607213	WTP - Fuse	06/22/2016	20.26	.00		
Total 3870:					20.26	.00		
2460	Hach Company	9987427	WWTP - lab equipment	06/23/2016	4,485.27	.00		
Total 2460:					4,485.27	.00		
12109	Haskins Cleaning	JUN2016	Town Hall Cleaning June	07/11/2016	200.00	.00		
Total 12109:					200.00	.00		
2580	Hayden Merc	01-347561	PD - Supplies	06/07/2016	88.57	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
2580	Hayden Merc	01-352325	HPR Board	06/15/2016	23.41	.00		
2580	Hayden Merc	02-375010	Huck Finn	06/03/2016	45.32	.00		
2580	Hayden Merc	02-375284	Huck Finn	06/04/2016	7.98	.00		
2580	Hayden Merc	02-376634	Parks - Fly strips	06/06/2016	3.50	.00		
2580	Hayden Merc	02-381925	Town council snacks	06/16/2016	25.82	.00		
2580	Hayden Merc	02-387460	Admin supplies	06/27/2016	9.45	.00		
2580	Hayden Merc	03-361892	PD - Supplies	06/30/2016	39.72	.00		
2580	Hayden Merc	03-365534	Parks Dry Creek Triple Crown	06/24/2016	68.90	.00		
Total 2580:					312.67	.00		
12305	Hunter, Corey	07012016	Stokes Gulch - lawnmower	07/01/2016	766.12	.00		
Total 12305:					766.12	.00		
4535	InSite Media, Inc	2070	Hayden Daze	06/20/2016	200.00	.00		
4535	InSite Media, Inc	2070	Social Media	06/20/2016	250.00	.00		
4535	InSite Media, Inc	2070	Website hosting	06/20/2016	100.00	.00		
Total 4535:					550.00	.00		
12076	Lexipol LLC	17261	LE Policy Update 8/1/16-7/31/17	07/01/2016	2,069.00	.00		
Total 12076:					2,069.00	.00		
12268	Midwest Electric Systems of S., In	10162	Golden Meadows R&M	06/28/2016	724.70	.00		
Total 12268:					724.70	.00		
2960	MJK Sales & Feed Inc	017883	Parks - Field supplies	06/22/2016	344.57	.00		
2960	MJK Sales & Feed Inc	206614	Streets R&M - parts	06/27/2016	272.74	.00		
2960	MJK Sales & Feed Inc	206694	Streets - weed control	06/28/2016	101.98	.00		
2960	MJK Sales & Feed Inc	206753	WWTP - Paint supplies	06/29/2016	65.48	.00		
2960	MJK Sales & Feed Inc	207279	Parks R&M Paint supplies	07/07/2016	62.83	.00		
Total 2960:					847.60	.00		
10620	Mountain Air Spray Co	8792	Chemical Appl - Mosquito control	06/29/2016	4,937.40	.00		
Total 10620:					4,937.40	.00		
8920	Murdoch's Ranch & Home Craig	147237-R	Parks R&M - supplies	05/26/2016	89.97	.00		
8920	Murdoch's Ranch & Home Craig	147334/19	Parks supplies	06/28/2016	50.94	.00		
Total 8920:					140.91	.00		
7540	Northwest Ready Mix Inc	20164257	Water Dist - Structural mix	06/23/2016	219.00	.00		
Total 7540:					219.00	.00		
1780	Peak Performances Imaging Sol.	48115	Annual Laserfiche Agreement	06/30/2016	1,112.00	.00		
Total 1780:					1,112.00	.00		
3240	Precision Excavating Inc	14276	Sewer Repair	06/24/2016	8,920.14	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 3240:					8,920.14	.00		
12090	Precision Sharpening & Repair	53157	Parks - blades	06/21/2016	54.32	.00		
12090	Precision Sharpening & Repair	53665	Streets - trimmer parts	06/24/2016	629.95	.00		
Total 12090:					684.27	.00		
2065	Routt County Auto Parts	10065-357944	PD vehicle - battery	06/11/2016	6.13	.00		
2065	Routt County Auto Parts	10065-358284	PD vehicle - wiper blades	06/22/2016	48.45	.00		
2065	Routt County Auto Parts	10109-357847	Streets - vehicle parts	06/09/2016	5.13	.00		
2065	Routt County Auto Parts	10109-357997	PD - air filters	06/13/2016	28.98	.00		
2065	Routt County Auto Parts	10109-358070	Streets - vehicle filters	06/15/2016	51.17	.00		
2065	Routt County Auto Parts	10109-358162	Parks - Oil filters	06/18/2016	13.98	.00		
2065	Routt County Auto Parts	10109-358218	Airport generator parts	06/20/2016	114.00	.00		
2065	Routt County Auto Parts	10109-358231	PD - vehicle supplies	06/21/2016	52.93	.00		
2065	Routt County Auto Parts	10109-358311	Parks - gas can	06/23/2016	36.99	.00		
2065	Routt County Auto Parts	10109-358457	Shop- parts	06/27/2016	6.69	.00		
2065	Routt County Auto Parts	10109-358475	Parks - tool	06/28/2016	4.75	.00		
Total 2065:					369.20	.00		
10610	SAFEbuilt, Inc.	0025481-IN	Building Department Services	06/30/2016	2,262.78	.00		
Total 10610:					2,262.78	.00		
7090	Samuelson's - Craig	62151	Parks supplies	06/28/2016	18.99	.00		
7090	Samuelson's - Craig	62210	DC Pumphouse door	06/29/2016	8.99	.00		
7090	Samuelson's - Craig	62398	Parks - dugout & shed paint	06/30/2016	90.96	.00		
7090	Samuelson's - Craig	62845	Streets R&M - supplies	07/07/2016	305.36	.00		
7090	Samuelson's - Craig	62846	Parks maint - PVC pipes	07/07/2016	58.69	.00		
Total 7090:					482.99	.00		
12248	SGS Accutest Inc	D6-76367	Water - testing	06/24/2016	109.50	.00		
Total 12248:					109.50	.00		
5540	Snyder & Counts Feed & Supply	182961	Water Salt	06/23/2016	257.25	.00		
Total 5540:					257.25	.00		
4880	Sprint	918280746-02	Sewer Cell Phone	06/29/2016	82.15	.00		
4880	Sprint	918280746-02	Streets Cell Phone	06/29/2016	167.70	.00		
4880	Sprint	918280746-02	Water Cell Phone	06/29/2016	103.11	.00		
4880	Sprint	918280746-02	HPD Cell Phone	06/29/2016	312.18	.00		
4880	Sprint	918280746-02	Recreation Cell Phone	06/29/2016	52.03	.00		
4880	Sprint	918280746-02	Public Works Tablet	06/29/2016	19.00	.00		
4880	Sprint	918280746-02	Public Works Tablet	06/29/2016	18.99	.00		
Total 4880:					755.16	.00		
10530	Staples Business Advantage	3306527867	Adm Office Supplies	06/17/2016	12.19	.00		
10530	Staples Business Advantage	3306527869	Adm Office Supplies	06/17/2016	49.99	.00		
Total 10530:					62.18	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
5930	Straight Stripe Painting, Inc.	10344	Street Striping	06/29/2016	3,057.10	.00		
	Total 5930:				3,057.10	.00		
6210	T & H Parts Inc	1826-376328	WTP - tool	05/25/2016	24.99	.00		
	Total 6210:				24.99	.00		
11303	Temple, Kim	325	PWW Cake	05/04/2016	95.00	.00		
	Total 11303:				95.00	.00		
6540	Tri County Fire Protection	142235	Backflow Prevention Testing	06/29/2016	212.50	.00		
	Total 6540:				212.50	.00		
9545	U.S. Tractor & Harvest, Inc.	P18495	Parks Equipment Expense	07/01/2016	26.26	.00		
	Total 9545:				26.26	.00		
7070	USA BlueBook	986375	LMI repair kit	06/23/2016	123.68	.00		
	Total 7070:				123.68	.00		
8740	Visa	JUN2016	Huck Finn	07/01/2016	172.08	.00		
8740	Visa	JUN2016	Postage	07/01/2016	50.00	.00		
8740	Visa	JUN2016	Postage - water testing	07/01/2016	2.64	.00		
8740	Visa	JUN2016	Admin - label tape	07/01/2016	9.29	.00		
8740	Visa	JUN2016	Admin - batteries	07/01/2016	21.48	.00		
8740	Visa	JUN2016	WTP - flash cards	07/01/2016	85.98	.00		
8740	Visa	JUN2016	Postage	07/01/2016	50.00	.00		
8740	Visa	JUN2016	stamps.com	07/01/2016	15.99	.00		
8740	Visa	JUN2016	PD - propane	07/01/2016	23.73	.00		
8740	Visa	JUN2016	PD - Meals	07/01/2016	9.46	.00		
8740	Visa	JUN2016	PD - Meals	07/01/2016	64.00	.00		
8740	Visa	JUN2016	PD -rifle case	07/01/2016	30.80	.00		
8740	Visa	JUN2016	Streets - Phone case	07/01/2016	23.99	.00		
8740	Visa	JUN2016	PD - coffee	07/01/2016	55.39	.00		
8740	Visa	JUN2016	PD - Meals	07/01/2016	8.66	.00		
8740	Visa	JUN2016	PD - Meals	07/01/2016	39.00	.00		
8740	Visa	JUN2016	PD - travel	07/01/2016	479.80	.00		
8740	Visa	JUN2016	PD - Meals	07/01/2016	52.00	.00		
8740	Visa	JUN2016	Sprinkler parts	07/01/2016	647.04	.00		
8740	Visa	JUN2016	Parks R&M parts	07/01/2016	119.55	.00		
8740	Visa	JUN2016	Streets - Repair kit	07/01/2016	37.28	.00		
8740	Visa	JUN2016	gotomypc renewal	07/01/2016	241.90	.00		
8740	Visa	JUN2016	OCPO application	07/01/2016	60.00	.00		
	Total 8740:				2,300.06	.00		
7580	Wagner Rents	1343013-0001	Stokes Gulch	06/07/2016	800.82	.00		
7580	Wagner Rents	1343183-0001	Golden Meadows - Generator	06/22/2016	255.00	.00		
7580	Wagner Rents	1343195-0001	Streets - Rammer compactor	06/22/2016	100.00	.00		
	Total 7580:				1,155.82	.00		
9960	Waring, Tanya	JUL2016	Janitorial Services	07/07/2016	340.00	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 9960:					340.00	.00		
10600	Waste Management-SBS #001-85	JUN2016	Residential Trash Service	07/05/2016	11,838.82	.00		
Total 10600:					11,838.82	.00		
12167	WEX Bank	46001644	PD Vehicle Expense - Fuel	06/30/2016	345.96	.00		
Total 12167:					345.96	.00		
4010	Yampa Valley Electric	1802JUN2016	Street lights electric 1510001802	06/29/2016	2,247.90	.00		
Total 4010:					2,247.90	.00		
4245	Zirkel Wireless, LLC	134553	Internet Service Acct 4377 July	06/27/2016	79.00	.00		
4245	Zirkel Wireless, LLC	134554	Internet Service Acct 4378 July	06/27/2016	46.00	.00		
Total 4245:					125.00	.00		
Grand Totals:					58,166.74	.00		

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.



Town Council Agenda Item

MEETING DATE: July 21st, 2016

AGENDA ITEM TITLE: Employee Personnel Policy Update

AGENDA SECTION: Consent Items

PRESENTED BY: Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULED: Not preferred

BACKGROUND REVIEW: Over the past several months several items have been identified as needing to be updated within the Town of Hayden Personnel Policy Handbook. The items to be updated within the Personnel Policy are:

- Overtime/Compensatory Time – updates the Personnel Policy to match established practices of how employees request to use their banked compensatory time
- Aligning the work period used to calculate overtime for the Town of Hayden Police Officers to be more consistent with other Town Employees. This defines the work period as 14 days, 85 hours per work period. Overtime compensation would be earned after 85 hours at straight time and overtime would be compensated at a rate of one and one half basis for hours worked over 85. (Currently Police Officers' work periods are defined as 28 days, 170 hours per work period.) Through establishing a 14 day work period this aligns with other Town Staff of being paid overtime every two weeks instead of once per month.
- Update changing the designation of Maternity/Paternity Leave to Family Medical Leave
- Updating the designation of Funeral Leave to Bereavement Leave
- Updating of Employee Evaluations from annual to throughout the year
- Updating of procedure for an employee to request to use accrued Vacation Leave

MANAGER'S RECOMMENDATION/COMMENTS: It is important and vital that the Personnel Policy Handbook be current and in line with established and required procedures. The Town benefits in keeping the Policies current so that the Town's employees and staff understand what benefits the Town offers to their employees and what Town Staff is accountable for. I therefore recommend to Town Council that they adopt Resolution 2016-21

RESOLUTION 2016-21

A RESOLUTION REVISING THE PERSONNEL POLICY UPDATING ADMINISTRATIVE REQUIREMENTS AND DEFINING A 14DAY WORK PERIOD FOR TOWN EMPLOYEES

RECITALS

1. The Hayden Town Council approved Resolution 1997-03 adopting a new personnel policy, Resolution 2000-09 adopting a revised personnel policy and repealing any prior adopted code, and subsequent amendments, and any prior adopted personnel code, Resolution 2002-02 establishing a 100% smoke free policy, Resolution 2002-15 establishing a mandatory seatbelt policy, Resolution 2003-12 establishing a comprehensive return to work policy, Resolution 2003-13 establishing procedures for designating authorized volunteers, Resolution 2003-22 re-designating paid holidays, Resolution 2007-06 establishing a harassment policy, Resolution 2013-08 approving an amendment to the personnel policies, life insurance benefit, Resolution 2013-21 adopting a new personnel policy and Resolution 2014-38 defining employee health insurance eligibility.
2. The Town Council seeks to establish a new work period to calculate overtime for Town of Hayden Law Enforcement Officers by defining a work period of fourteen (14) days and eighty-five (85) hours per work period. Overtime compensation will be earned after eighty-five (85) hours of work or paid holiday on a time and one half basis.
3. The Town Council seeks to update the practices of the Town of Hayden as to the employee evaluations timeframe, Maternity/Paternity Leave section title, Funeral Leave title and description and submittal of leave requests. This update is to come into line with the current accepted leave titles and the current process of evaluations and leave requests.
4. The Town Council has reviewed the proposed revision to the Personnel Policy and deems that adoption would be in the best interest of the Town.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO THAT:

Section 1. The Town of Hayden, Personnel Manual, Revised October 2013 by Resolution 2013-21, shall be revised as follows:

OVERTIME/COMPENSATORY TIME

5. If compensation leave in lieu of wages is requested and approved, such hours must be recorded on the employee's timesheet for the pay period in which the overtime was worked.
6. Law Enforcement Officers who are scheduled to work 85 hours per work period (14 days) will earn compensatory leave on a time and one half basis after 85 hours of work or paid holiday.

- a. Employees who wish to utilize banked compensatory leave must submit a request to their supervisor in accordance with the leave request procedures in place in that department.
- b. Employees who wish to receive banked compensatory leave in pay should submit a request to their supervisor by the Monday prior to pay day.

DESIGNATION OF WORK WEEK AND WORK PERIOD

WORK PERIOD

The work period for law enforcement personnel shall be defined as a 14 day, 85 hour work cycle. All overtime/compensatory time in excess of 85 hours in a 14 day period shall be at a ratio of 1.5 hours for one hour worked.

BEREAVEMENT LEAVE

An employee's supervisor or the Town Manager may grant up to five days leave with pay for an employee due to the death of an immediate member of his/her family or spouse's family (including a spouse, child, father, mother, sister, brother, grandfather, grandmother, uncle, aunt, nephew or niece). This bereavement time may be used for making funeral arrangements, attending the funeral or burial, paying respects to the family, dealing with deceased's possessions and will and any ancillary matters that employees must address when a loved one dies.

FAMILY MEDICAL LEAVE

Employees may use sick leave, personal leave, vacation leave, compensatory time, and/or leave without pay (if there is no accumulated paid leave) up to twelve (12) weeks total for family medical leave subject to the Town Manager's approval. During this period of leave without pay, health insurance benefits will continue; however, the employee will no longer accrue vacation, personal or sick leave nor be eligible for holiday or retirement benefits. Upon returning to work on or before the expiration of the family medical leave, the employee will be reinstated to their original job or to a similar position with the same rate of pay without loss of service credit.

WAGE CHANGES

Employees will be evaluated regularly throughout the year by their Department Heads and/or supervisor, with the Town Manager being evaluated by the Mayor and Town Council.

VACATION

All use of vacation time shall be requested by the employee in advance and the employee must receive prior approval by the employee's supervisor.

Section 2. The Town of Hayden, Personnel Manual, Revised October 2013 by Resolution 2013-21, not specifically amended herein, or previously amended by formal adoption by the Town Council shall remain in effect.

Section 3. This Resolution shall be in full force and effect upon adoption.

PASSED, APPROVED, AND RESOLVED THIS 21ST DAY OF JULY, 2016.

James M. Haskins, Mayor

ATTEST:

Sharon Johnson, Town Clerk



Town Council Agenda Item

MEETING DATE: July 21st, 2016

AGENDA ITEM TITLE: Engagement of Municipal Advisors for November Bond Issue – Resolution 2016-22

AGENDA SECTION: New Business

PRESENTED BY: Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULED: Not preferred

BACKGROUND REVIEW:

As discussed over the past several years, the Town is in need of some significant roadway improvements. Lincoln from Walnut to Poplar, Washington from Walnut to Poplar, Walnut (face of hill from Washington to South Spruce, all of Vista Verde, and the east end of View Drive. Since the Town does not have the money in the bank to achieve this it will have to go to the citizens for a vote on whether to bond this issue this November. JVA completed studies and estimates on the following roadways:

- West Lincoln Ave (Poplar St to Walnut St) Approx 750 Linear Feet
- Washington Ave (Poplar St to Walnut St) Approx 750 Linear Feet
- East View Drive – Roadway Repair
- Hospital Hill (Walnut Street) – this is broken down into three estimates
 - Minimal Repairs and stabilizations
 - Repairs, stabilizations and Pedestrian Pathway
 - Repairs, Stabilization, and Pedestrian Pathway up to Pine St (Linking the sidewalk from the top of Hospital Hill to Washington)
- North 5th Street (West Jefferson to Lincoln Ave) 500 Linear Feet
- North Spruce St (East Jefferson to E Lincoln Ave) 330 Linear Feet
- Vista Verde Dr, Escalate, Santa Fe St Repairs and Improvements

These locations have been identified as deteriorating or will be unrepairable within the next year or two and if not repaired will probably result in the asphalt having to be removed and gravel / roadbase replacing the asphalt in several to the locations. This will result in additional maintenance costs, erosion, snow removal issues, dust concerns and citizen concerns. Due to the past economic constraints, the recession and delayed maintenance these roadways are or about to become critical capital improvement needs.



Town Staff met with representatives of EHLERS and Associates who specialize in assisting and seeing municipalities through the process of obtaining and managing public bond issues. Town Staff and Ehlers and Associates identified the scope of work involved with the upcoming Bond Issue as follows:

Town of Hayden **Summary of meeting on July 14, 2016**

Prepared by Ehlers & Associates, Inc.

Project

- \$3.6 million of street improvements
 - Approximately \$1.4 million will finance maintenance to roads that require immediate repair and have less than an inch of asphalt remaining
 - The remaining \$2.2 million will finance maintenance to roads that will require major repairs within three years
- Construction will begin in April or May 2017, and funds are needed at that time
- Bonds for projects to be repaid from the General Funds

Election

- Ballot question for bond financing will appear on November ballot
 - July 29 is the last day to notify the County Clerk to add the question to the ballot
 - Bond resolution must be passed by September 9th
 - Strong council support is expected
 - Town should begin setting up a campaign committee to advocate for the bonds in the community
- Other election questions already on ballot
 - Sales tax increase
 - Property tax increase

Services the Town may need to retain for project

- Engineering Firm for road improvement design
- Rating Agency to rate debt (if publically issued)
- Bond Counsel to prepare and review bond documents
- Underwriter to provide financing
- Municipal Advisor to advise Town

Marijuana Tax

- 7.5% excise tax on wholesale marijuana



- Tax receipts flow directly into the General Fund
- One wholesaler will begin producing in the fall of 2016 and two others are anticipated to begin producing in late 2016/spring 2017
- Projected tax revenues of \$200-300 thousand per year for each wholesaler

Financing Costs

Type of Service	Payment Timing	Payment Method	Approximate Cost
Preliminary Engineering	Summer 2016	Cash payment from Town funds/ possible reimbursement from bond proceeds	-
Engineering	Bond Closing	Bond proceeds	\$100,000
Rating Agency	Bond Closing	Bond proceeds	\$20,000
Bond Counsel	Bond Closing	Bond proceeds	\$35,000-45,000
Underwriter	Bond Closing	Bond proceeds	\$200,000
Municipal Advisor	Bond Closing	Bond proceeds	\$20,000

MANAGER’S RECOMMENDATION/COMMENTS:

I would recommend that the Town Council retain and engage Ehlers and Associates as municipal advisors for the objective of successfully placing the Bond question on the November 2016 Ballot. After voter approval, Ehlers would obtain and negotiate for the underwriters and obtaining of the municipal bonds for the purpose of The Town of Hayden Roadway Repairs and Improvements Project. Payment of Ehlers and Associates is part of the bond financing. If the bond does not pass voter approval then there is no liability to the Town for Ehlers’ services. All associated costs of bond issue are paid as part of the bonding process, except for a portion of Bond Council for the ballot question draft.



July 19, 2016

Greg Tuliszewski
Interim Town Manager
Town of Hayden
PO Box 190
249 Hawthorne Street
Hayden, CO 81639

Re: Municipal Advisor Agreement

Dear Mr. Tuliszewski:

Ehlers & Associates, Inc. ("Ehlers") appreciates the opportunity to provide municipal advisory services to the Town of Hayden (the "Town") relating to the financing of street improvements. This engagement is for a General Obligation bond issue in the approximate amount of \$4 million to be submitted for voter approval in November 2016. Jim Harrington will serve as the principal contact and representative of Ehlers for this engagement and will be assisted by Matthew Dempsey. When providing advice, we are required to act in a fiduciary capacity, which includes a duty of loyalty and a duty of care. This means we are required to act solely in your best interest. The following outlines the scope of this engagement (collectively, the "Requested Services"):

Scope of Services.

Initial Issuance Planning

Prior to the authorization and issuance of debt, Ehlers will:

- Engage in discussions with the Town, as needed, to develop an understanding of the Project, the Town and the Town's objectives relating thereto;
- Identify feasible financing option(s) suitable for the Town;
- Structure possible financing option(s) and estimate the financial impact;
- Solicit input from the Town on financing option(s);
- Revise option(s) as directed by the Town;
- Develop a customized financing plan for the Town's preferred option(s).

Authorization

Working with the Town and the Town's Financing Team, Ehlers will provide information or input to assist the Town with meeting the legal Issuance requirements:

- Develop timeline of steps and actions required to meet legal and financing requirements related to the Issuance;
- Participate as requested in preparing materials and/or attending meetings for proceedings required to lawfully authorize the Issuance;
- Assist the Town in preparing information to explain the financing plan and the financial impact of the Issuance, as requested;





- Attend meetings to assist in explaining the financing plan and the impact of the proposed Issuance to elected officials and constituents, as requested.

Debt Issuance

Ehlers will use its best efforts to execute the financing plan in accordance with Client's directives and will:

- Present a financing plan to the Town in the form of a Presale Report;
- Request current and necessary information from the Town, if the Issuance proceeds forward;
- Discuss with the Town its' post-issuance compliance obligations including continuing disclosure, record-keeping, arbitrage monitoring.

If Method of Sale is Competitive Sale:

- Finalize Issuance details with the Town;
- Assist, as directed by the Town, with preparation of Client's official statement/offering document for review by the Town's Financing Team;
- Distribute the Town's official statement/offering document in accordance with Notice of Sale and/or the Town's direction;
- Assist the Town with credit rating(s) and/or credit enhancement(s), as necessary;
- Assist the Town when responding to questions regarding the Issuance;
- Coordinate competitive bids and all day of sale activities with Financing Team;
- Prepare and present a Sale Day report to the Town;

If Method of Sale is a Private Placement or a Negotiated Sale:

- Develop with Financing Team Issuance details and sale timeline;
- Assist, as directed by the Town, with preparation of the Town's official statement/offering document as determined after discussion with the Town and the Town's Financing Team, if required;
- Assist the Town with credit rating(s) and/or credit enhancement(s), as necessary;
- Prepare independent pricing analysis using comparable sales and/or other benchmark(s) (MMD, EMMA);
- After reviewing purchaser's proposal, independently verify calculations, and compare benchmark(s) against proposal;
- Review with the Town the purchaser's proposal;
- As directed by the Town, negotiate proposal on behalf of the Town with purchaser;
- Assist with sale and day of sale activities as determined after discussion with the Financing Team;
- Prepare and present a Sale Day report to the Town.

Post Issuance

Ehlers shall:

- Prior to the closing of the Issuance closing, coordinate the closing including document development and distribution as well as coordinate transfer of funds, as required;





EHLERS

LEADERS IN PUBLIC FINANCE

- Respond to Client questions relating to the Issuance;
- Monitor refunding opportunities on Client's behalf for all Client debt.

Duration and Compensation:

This engagement shall begin upon your written acceptance below and shall remain in effect until (i) consummation of all the Requested Services set forth above or (ii) terminated by either party upon giving of at least thirty (30) days' prior written notice to the other party of its intention to terminate, specifying in such notice the effective date of such termination.

In consideration of providing the Requested Services, Ehlers proposes to be compensated in an amount of \$20,000. Such compensation is due and payable upon closing of the proposed bond transaction.

This letter agreement shall be governed by and construed in accordance with the laws of the State of Colorado applicable to agreements made and to be fully performed therein.

We look forward to working with you during this engagement. Please acknowledge acceptance of these terms by signing in the space provided below and returning a copy to me.

Sincerely,

By: 

James S. Harrington
Senior Municipal Advisor
Ehlers & Associates, Inc.

Agreed and Accepted:

By: _____

Title: _____

Name: _____

Date: _____





Town of Hayden Ehlers Firm Information

Prepared by Ehlers & Associates, Inc.

Ehlers solely provides financial advisory services to the public sector and a handful of non-profit organizations. Robert Ehlers founded Ehlers to serve local, regional, and state governments without the moral hazards and inherent conflicts that arise when underwriters represent both investors and bond issuers. As an independent municipal advisor, Ehlers' focus has always been to work with local units of government and not represent the interests of private parties or investors on bond issues.

Our fiduciary duty to clients is to design customized financial solutions to help grow their communities. Our mission is to design customized financial solutions that help build outstanding communities.

Our independent approach and sixty plus years of experience have led us to serve clients in five states, including over 30 entities in Colorado. In 2014, Ehlers merged with Public Finance Associates, LLC, an independent financial advisory firm that had been operating in Colorado since 2002. With this addition, Ehlers now has a total of 32 municipal advisors supported by 45 other professionals. Jim Harrington, Paul Wisor and Matthew Dempsey work out of Ehlers' Denver office, and will be primarily responsible for the work performed by Ehlers on your behalf.

The table below highlights that Ehlers specializes in bond issues comparable to the size contemplated by the Town of Hayden. We do not compromise the interests of our clients in pursuit of larger issues. Since 2011 Ehlers has advised on over \$12 billion in municipal debt in six states, including Colorado.

Ehlers Ranks Number Three in Number of Competitive Sales Nationally

FinanAdvisors	Rank	Number of Issues	Principal Amount (in millions)
Public Financial Management, Inc	1	397	\$15,678
First Southwest Company	2	329	\$6,185
Ehlers and Associates, Inc	3	306	\$2,505
Springsted Incorporated	4	210	\$2,525
Robert W. Baird & Co Inc	5	149	\$1,565
Capital Markets Advisors	6	94	\$2,646

Sources: Outstanding competitive bond issues as listed by Bloomberg from 1/2/2015 through 12/31/2015.





Jim Harrington, CIPMA
Senior Municipal Advisor/Vice President

Jim has been a Municipal Advisor at Ehlers since 2014 assisting Colorado school districts, municipalities, counties, water authorities and special districts in the design and implementation of financial solutions. Jim has over 30 years of public finance experience. One of Jim's greatest contributions to Ehlers is his ability to design practical financial solutions for his clients, and to clearly and effectively communicate those solutions to decision makers.



Jim Harrington
 Direct: (303) 802-2301
 jharrington@ehlers-inc.com

Areas of Expertise

Debt Planning and Issuance

- Analysis & Presentation of Alternative Financing Options, Funding Sources, Plans And Tools
- General Obligation and Revenue Debt
- Special Assessment Bonds
- Refundings/Cash Defeasances
- Representation to Bond Market & Credit Rating Agencies

Public Participation

- Public Participation Process
- Community Goals & Objectives Facilitation
- Project Planning
- Referendum Services

Economic Development

- Special District Formation
- Developer Recruitment
- Developer Pro forma Analysis
- Development Agreement Negotiation
- Developer Performance Evaluation

Strategic and Financial Planning

- Capital Improvements Planning
- Project Feasibility Studies
- Financial Goals & Objectives Facilitation
- Project Impact Analysis
- Financial Management Plans
- Impact Fee Studies

Certifications

Certified Independent Professional Municipal Advisor (CIPMA) by the National Association of Municipal Advisors (NAMA)

Professional Memberships and Community Leadership Education

10 years (1984–1994) as a member (4 years as President) of the Cherry Creek School District Board of Education
 Member and Treasurer of the Colorado Baseball Commission (CBC) (1989–1993). The CBC passed the Coors Field Stadium vote and brought Major League Baseball to Denver
 Member (2001-2005) of the Board of Trustees of the Association of Graduates of the United States Military Academy at West Point
 Board Member Emeritus of the Community College of Aurora Foundation
 Board Member (2005 - 2012), with 5 years as Board Chairman, of the Scientific and Cultural Facility District (SCFD). SCFD provides \$50 million annually of taxpayer support for the arts, science and cultural organizations in the seven county Denver metropolitan area
 President of Citizens for Arts to Zoo (CATZ) from 2012 - present. CATZ is a 501(c)4 organization leading the effort to secure voter reauthorization of SCFD in 2016
 Member of the Finance Council of the Archdiocese of Denver and chair of the Project Finance Review Committee for the Archdiocese
 Member of the Metropolitan Football Stadium District Board which oversees Sports Authority Field (home of the Denver Broncos)

West Point (U.S. Military Academy) (West Point, NY), B.S.
 University of Southern California (Los Angeles, CA), M.S.
 Fairleigh Dickinson University (Rutherford, NJ), MBA



Paul Wisor
Municipal Advisor

Paul brings over 8 years of local government and municipal finance experience to his clients in Colorado. Paul has extensive experience with debt issuance and refinancing of public debt, including his past experience as a public finance attorney. Paul also works with local governments throughout Colorado on economic development projects involving affordable housing, tax increment financing, TABOR, urban renewal and public private transportation projects.



Paul Wisor
Direct: (303) 802-2302
pwisor@ehlers-inc.com



Areas of Expertise

Debt Planning and Issuance

- Analysis & Presentation of Alternative Financing Options, Funding Sources, Plans And Tools
- General Obligation and Revenue Debt
- Special Assessment Bonds
- Refundings/Cash Defeasances
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- Capital Improvements Planning
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- Financial Goals & Objectives Facilitation
- Project Impact Analysis
- Financial Management Plans
- Impact Fee Studies

Certifications

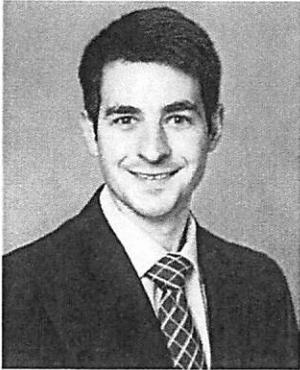
Colorado Bar, admitted October 2005

Professional Memberships and Community Leadership

- Former Chairman, Board of Directors, Rocky Mountain Multiple Sclerosis Center
- Former Board Member, New Era Colorado
- Former Board Member, Colorado Young Democrats
- Former Board Member, Young Lawyers For Obama, Colorado Chapter
- Former Board Member, Multiple Sclerosis Young Professionals Network
- Former Member, Sudan Divestment Task Force

Education

University of Colorado School of Law, J.D.
Lehigh University, B.A.



Matthew Dempsey
Municipal Advisor

Matthew has over 3 years of local government and municipal finance experience. Matthew has extensive experience with debt structuring and issuance, and has advised on over \$2 billion in municipal debt. Matthew has advised municipal governments, water and wastewater authorities, economic development authorities, tax districts, and public-private partnerships. He also has 2.5 years of experience as a financial consultant working on government contracts.



Matthew Dempsey
Direct: (303) 802-2303
mdempsey@ehlers-inc.com

Areas of Expertise

Debt Planning and Issuance

- Analysis & Presentation of Alternative Financing Options, Funding Sources, Plans And Tools
- General Obligation and Revenue Debt
- Tax District Financing
- Refundings/Cash Defeasances
- Representation to Bond Market & Credit Rating Agencies
- Credit Assessment

Public Participation

- Public Participation Process
- Community Goals & Objectives Facilitation
- Project Planning
- Referendum Services

Economic Development

- Developer *Pro forma* Analysis

Strategic and Financial Planning

- Capital Improvements Planning
- Project Feasibility Studies
- Financial Goals & Objectives Facilitation
- Project Impact Analysis
- Financial Management Plans
- Impact Fee Studies

Professional Memberships and Community Leadership

Former Board Member, Joe's Movement Emporium, Prince Georges County, MD

Education

University of Virginia, B.S.

RESOLUTION 2016-22

A RESOLUTION APPROVING AN AGREEMENT WITH EHLERS AND ASSOCIATES FOR MUNICIPAL BOND ADVISORS TO ASSIST WITH THE NOVEMBER 2016 VOTER BALLOT BOND ISSUE.

RECITALS

1. The Town of Hayden Home Rule Charter, Article 8-2. Contracts provides that except as otherwise prescribed by the Town Council, the Town Council shall approve all contracts for the Town.
2. The Town of Hayden Town Manager requested a proposal from Ehlers and Associates to provide 2016 Roadway Repair and Improvement Project Bond assistance. This is for the maintenance and repair of certain Town streets so that the matter of Street Repair could be taken to the voters of the Town of Hayden for a vote on whether to obtain Municipal Bonds to pay for the needed repairs.
3. At the Town Manager's request Ehlers and Associates submitted a proposal and agreement for the aforementioned Municipal Advisors and Bond Management services to be paid for from the proceeds from a successful voter approved Bond Ballot Question.
4. The proposal and contract were reviewed and are recommended for approval by the Town of Hayden's Town Manager.
5. Funding for these professional services will be included in the successfully passed voter approved bond issue.

NOW, THEREFORE BE IT RESOLVED BY THE HAYDEN TOWN COUNCIL AS FOLLOWS:

Section 1. The Town Council desires to hire Ehlers and Associates to provide municipal advisement and bond management services related to 2016 Roadway Repair and Improvement Bond Issue. This includes services related to obtaining the voters' approval for the bond, assisting in obtaining Bond Counsel, Underwriter, and bond management as outlined in the attached Exhibit A and requests the Mayor to execute all documents necessary to the engagement letter and the Town Manager in the follow-up documents as appropriate.

Section 2. This Resolution shall be in full force and effect upon its passage and adoption.

PASSED, APPROVED, AND RESOLVED THIS 21st DAY OF JULY, 2016.

James M. Haskins, Mayor

ATTEST:

Sharon Johnson, Town Clerk



Town Council Agenda Item

MEETING DATE: July 21st, 2016

AGENDA ITEM TITLE: Transfer of Easement from Peabody to Routt County for Haul Road

AGENDA SECTION: New Items

PRESENTED BY: Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULED: Not preferred

BACKGROUND REVIEW:

Hayden Gulch Terminal, LLC (HGT) holds the current easements and permit for the Tie-Across Haulroad (TAHR), a private road which extends from RCR27 on the east to RCR53 on the west, and runs just south of the Yampa Valley Regional Airport. The Road, which was formerly used to haul coal from the Seneca IIW Mine to the Hayden Station, is no longer being used for that purpose, and although it is posted as a "Private Road", has in recent years been used by area residents and other as a "defacto" county road. The road was permitted as an ancillary mining-related disturbance with the Colorado Division of Reclamation, Mining, and Safety (CDRMS), and HGT holds a current active permit.

Recognizing this, and the benefit to the County and area residents of leaving the Road in-place and not reclaiming the road and associated lands, as was originally contemplated and required under the currently approved Mining and Reclamation Permit, Hayden Gulch Terminal, LLC (HGT) has approached and obtained the concurrence of the County to transfer the TAHR to the County for ongoing and future use as a public road. The area to be transferred to the County would include a road right-of-way and associated easement including the current road surface and the immediately adjacent borrow/drainage ditches and culverts. HGT would relinquish existing easement rights for areas outside of the road right-of-way but within the Mining and Reclamation Permit Area, these areas would revert to the full control of the affected landowners, and HGT would pursue bond release and termination of the permit for these areas.

Transfer of the Road to the County will require perpetual easements from both the Peabody (Sage Creek Holdings, LLC and Hayden Gulch Terminal, LLC) and the non-Peabody landowners along the TAHR, including Public Service Company, Mike and Amy Williams, the Colorado State Land Board, Duane and Judy and Darrel and Judy Hockett, and the Town of Hayden. In order to retain the Road and not reclaim the associated disturbance landowner consents are also required to change the postmining land use from the currently approved use of rangeland/wildlife to industrial (municipal) for the Road.



Hayden Gulch Terminal, LLC

29515 Routt County Road 27
Oak Creek, CO 80467
970.879.3800

Town Of Hayden
Attn: Mayor Haskins
Town Manager Tuliszewski
P.O. Box 190
Hayden, Colorado 81639

Re: Hayden Gulch Terminal, LLC – Transfer of Tie-Across Haulroad to Routt County for Use as a Public Road
Landowner Consent for Alternative Postmining Land Use and Release for Existing Disturbance

Dear Mayor Haskins,

As a landowner for a portion of the “Tie-Across Haulroad” (TAHR) you are no doubt aware that the Road, which was formerly used to haul coal from the Seneca IIW Mine to the Hayden Station, is no longer being used for that purpose, and has in recent years been used by area residents and other as a “defacto” county road. Recognizing this, and the benefit to the County and area residents of leaving the Road in-place and not reclaiming the associated lands, as was originally contemplated in Seneca Coal Company’s approved Mining and Reclamation Plan, Hayden Gulch Terminal, LLC (HGT) has approached and obtained the concurrence of the County to transfer the TAHR to the County for ongoing and future use as a public road. The area to be transferred to the County would include the current road surface and the immediately adjacent borrow/drainage ditches and culverts. In accepting the Road as part of the County road system, Routt County would be responsible for ongoing road upkeep and maintenance.

As an affected landowner, we are requesting your review of this proposed action, and your concurrence for the following specific required landowner consents:

- 1) A perpetual easement to the County for use and maintenance of the Road (easement agreement is a separate document from this consent letter)
- 2) Your concurrence with HGT’s application to the Colorado Division of Reclamation, Mining, and Safety for a change in postmining land use from rangeland/wildlife to industrial (municipal) for the Road
- 3) Your acceptance of the existing disturbance outside of the road corridor which falls on your deeded land in an “as is, where is” condition, including the existing road cut and fill slopes, any existing soil material stockpiles, any existing drainage features, any existing fences, and any other existing disturbance features. Note that in conjunction with the transfer of Road to the County and the proposed change in postmining land use, HGT will be requesting a release from bond liability for the areas within the current TAHR permit area and a termination of the associated portions of the current Mining and Reclamation Permit.

We appreciate your consideration and cooperation as we move forward with this action, which we feel will be mutually beneficial for all involved. Recognizing that you may have questions or concerns, please feel free to contact me at any time to discuss.

Best regards,

Jerry M. Nettleton
Manager Environmental Affairs

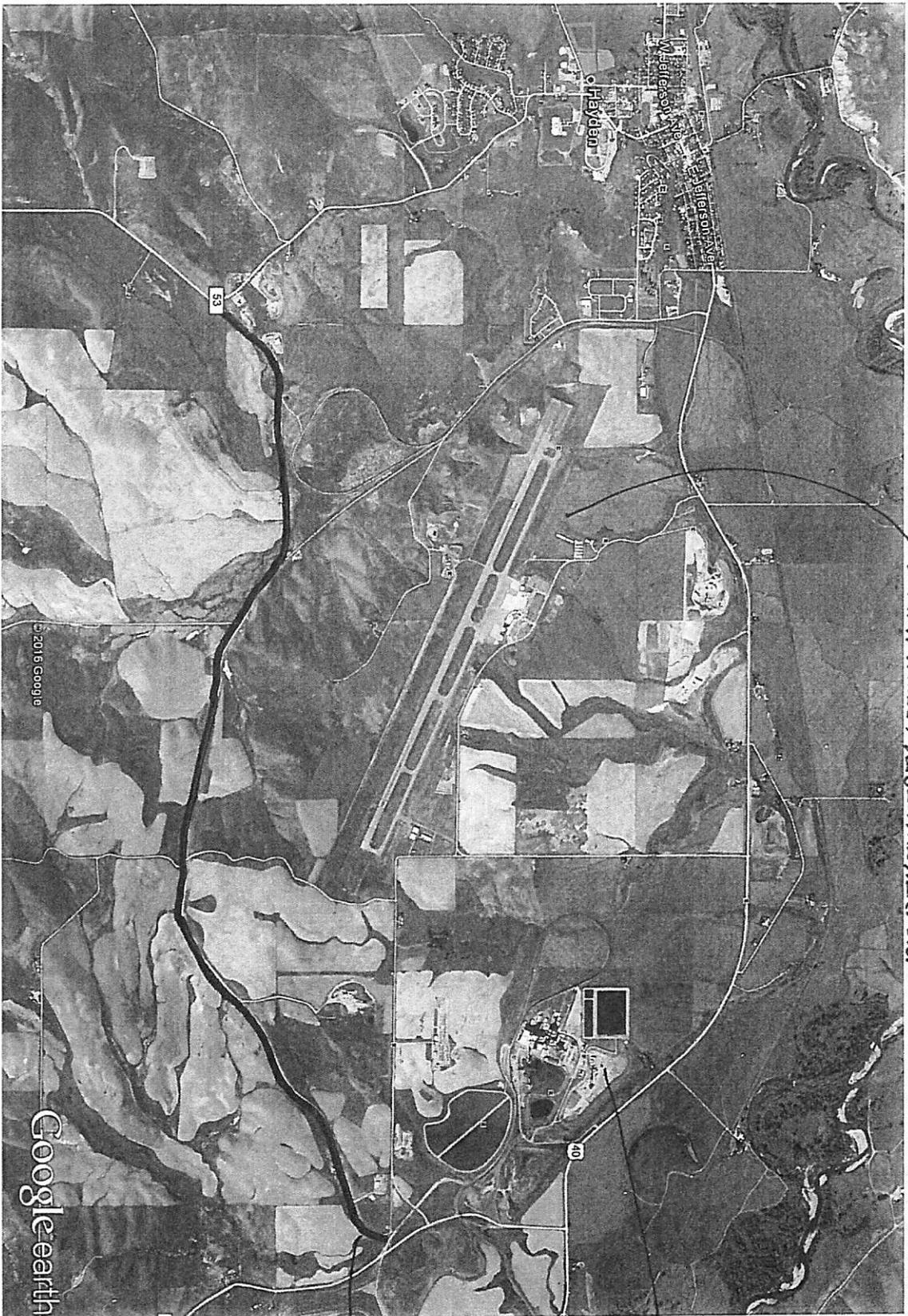
I (We), The Town of Hayden, have reviewed Hayden Gulch Terminal, LLC's proposal to transfer the Tie-Across Haulroad to Routt County for ongoing and future use as a public road; to change the postmining land use from rangeland/wildlife to industrial (municipal); and to request release from bond liability and termination of the associated portions of the current Mining and Reclamation Permit; and as an affected landowner, support and consent to these proposed actions. I also accept the existing disturbance outside of the road corridor which falls on my (our) deeded land in an "as is, where is" condition, including the existing road cut and fill slopes, any existing soil material stockpiles, any existing drainage features, any existing fences, and any other existing disturbance features.

Signature – James M. Haskins, Mayor

Date

Signature – Attest – Sharon Johnson, Town Clerk

Date



HAYDEN VALLEY REGIONAL AIRPORT

HAYDEN STATION

FIVE-ACRES ROAD

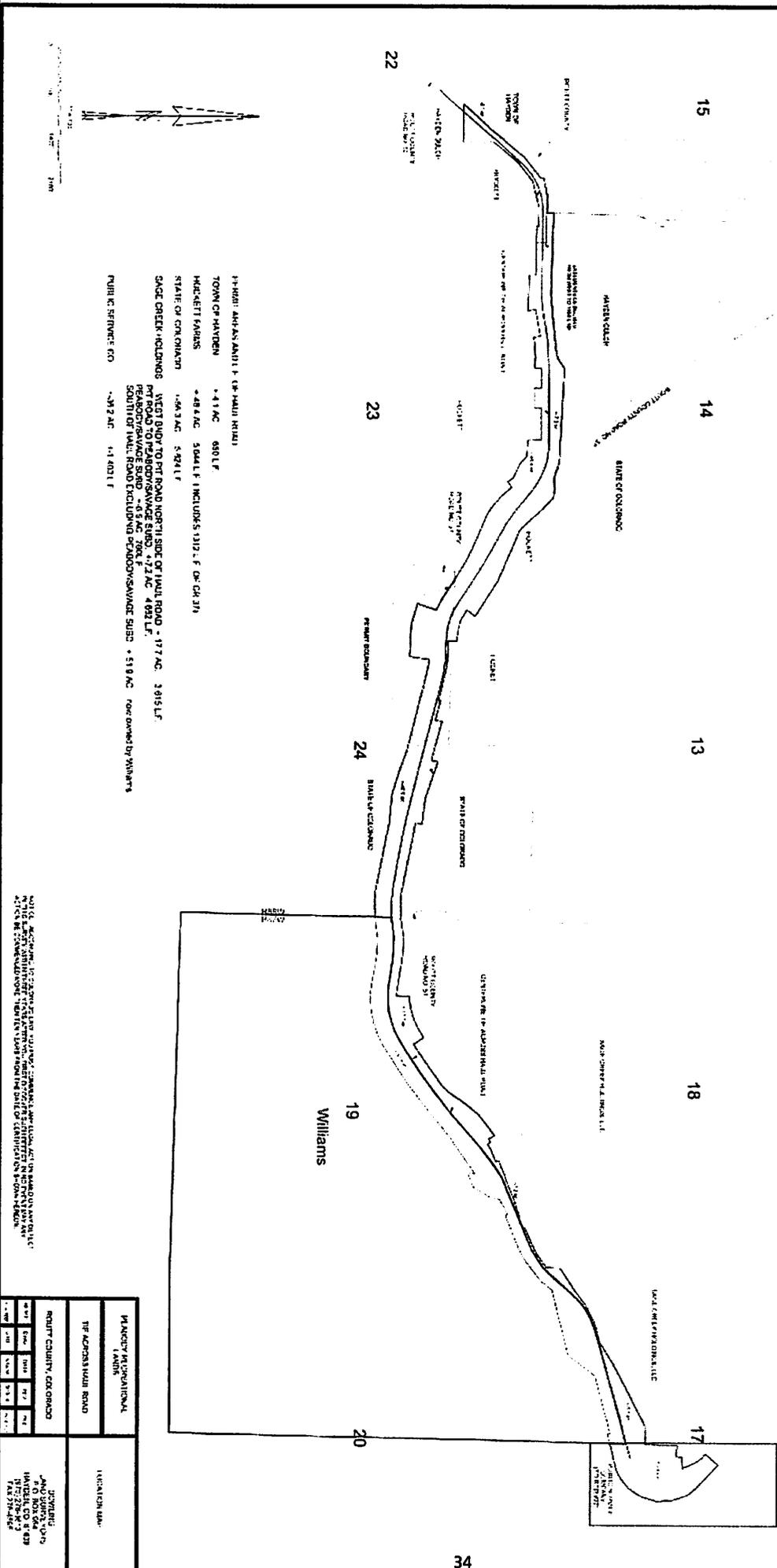
Google Earth Pro

miles
km



Google Earth

LOCATION MAP PEABODY TIE ACROSS HAUL ROAD



PEABODY TIE ACROSS HAUL ROAD (CP HALL ROAD)
 TOWN OF HAYDEN • 4.1 AC 680 LF
 MAGNET HAYDEN • 48.4 AC 504 LF INCLUDES 1312 L.F. CP CR 311
 STATE OF COLORADO • 1,563 AC 5,821 LF
 SAGE CREEK HOLDINGS WEST END TO PT ROAD NORTH SIDE OF HALL ROAD - 177 AC 3,015 LF
 PEABODY TIE ACROSS HAUL ROAD EAST END TO PT ROAD SOUTH SIDE OF HALL ROAD - 2.2 AC 4,092 LF
 SOUTH OF HALL ROAD EXCLUDING SAGBOW/SWAGNE SLID • 51.9 AC Road owned by WILLIAMS
 PUBLIC SERVICE CO • 392 AC 1,140 LF

NOTICE: THIS MAP IS A SUMMARY OF THE RECORDS OF THE PUBLIC LANDS OFFICE AND DOES NOT REPRESENT THE ACTUAL SURFACE OF THE LAND. THE ACTUAL SURFACE OF THE LAND MAY VARY FROM THE SURFACE SHOWN ON THIS MAP. THE ACTUAL SURFACE OF THE LAND SHOULD BE DETERMINED BY A SURVEYOR.

PLANNED RECREATIONAL		INDICATION MAP	
TIE ACROSS HAUL ROAD			
PLANNED	RECREATIONAL	INDICATION	MAP
DATE	NO.	DATE	NO.
1988	1001	1988	1001
1989	1002	1989	1002
1990	1003	1990	1003
1991	1004	1991	1004
1992	1005	1992	1005
1993	1006	1993	1006
1994	1007	1994	1007
1995	1008	1995	1008
1996	1009	1996	1009
1997	1010	1997	1010
1998	1011	1998	1011
1999	1012	1999	1012
2000	1013	2000	1013
2001	1014	2001	1014
2002	1015	2002	1015
2003	1016	2003	1016
2004	1017	2004	1017
2005	1018	2005	1018
2006	1019	2006	1019
2007	1020	2007	1020
2008	1021	2008	1021
2009	1022	2009	1022
2010	1023	2010	1023
2011	1024	2011	1024
2012	1025	2012	1025
2013	1026	2013	1026
2014	1027	2014	1027
2015	1028	2015	1028
2016	1029	2016	1029
2017	1030	2017	1030
2018	1031	2018	1031
2019	1032	2019	1032
2020	1033	2020	1033

PERPETUAL EASEMENT DEED

THIS PERPETUAL EASEMENT DEED is made this 21st day of July, 2016, by and between, **The Town of Hayden**, a Colorado Home Rule town, whose address is P.O. Box 190, Hayden, CO 81639-0190 hereinafter referred to as "Grantor", owners of certain lands located in Routt County, Colorado, and **Sage Creek Holdings, LLC**, a Delaware limited liability company, whose legal address is 701 Market Street, Suite 862, St. Louis, MO 63101, hereinafter referred to as "Grantee," and provides as follows:

Grantors, for and in consideration of Ten Dollars and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, grant, bargain, sell and convey unto Grantee, its successors, and assigns forever, perpetual and exclusive easement for road right-of-way, utility easements and such other concomitant governmental purposes as are permitted by laws relating to governmental use of road right-of-ways, on, under and across those portions of the following described lands, being more particularly described in that certain Easement dated March 9, 1990, by and between The Town of Hayden and H-G Coal Company, recorded May 11, 1990 at Book 653, Page 1916, of the records of the Routt County Clerk and Recorder, Routt County Colorado, and as shown on the Exhibit B map, attached hereto and by this reference, made a part hereof:

Township 6 North, Range 88 West, 6th P.M.
Section 22: That portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$

Grantors, for themselves, their heirs, executors and administrators do covenant, grant, bargain and agree to and with Grantee, its successors and assigns, that Grantors are well seized of the easements above conveyed and have good right, full power and authority to grant, bargain, sell and convey said easements, and that said easements are free and clear from all former and other grants, bargains, sells, liens, taxes, assessments and encumbrances of any kind whatsoever.

Executed on the 21st day of July, 2016.

THE TOWN OF HAYDEN,
a Colorado Home Rule Town

ATTEST:

Mayor James M. Haskins

Town Clerk Sharon Johnson

RESOLUTION 2016-23

A RESOLUTION APPROVING THE EASEMENT TRANSFER AND RELEASE FROM THE RECLAMATION BOND FROM SAGE CREEK HOLDINGS a.k.a. PEABODY, FROM PEABODY TO ROUTT COUNTY FOR THE PRIVATELY HELD HAUL ROAD TO BE CONVERTED INTO A PUBLIC ROUTT COUNTY ROADWAY.

RECITALS

1. The Town of Hayden Home Rule Charter, Article 10-2 states that The Town Council of Hayden may, by motion and approval, dispose or enter into agreements of any interest in real property including easements.
2. The Town of Hayden has been approached by Peabody Mining Corporation requesting to transfer the current privately held easements from Sage Creek Holding, a subsidiary of Peabody Mining Corp, to Routt County as they relate to the portion of the Haul Road that passes through property owned by the Town of Hayden, for the purpose of converting this private roadway to a public county roadway.
3. The Town of Hayden has been approached by Peabody Mining Corporation that upon successful approval and completion of the transfer of easement from Peabody to Routt County, a statement to present to the State of Colorado reclamation board, advising and agreeing that the reclamation bond, in place for Peabody, as it relates to the Haul Road, is no longer needed for the parcel of land that is owned by the Town of Hayden.
4. The documents, both the Perpetual Easement Deed and the Transfer Landowner Consent form, have been reviewed by the Town Manager and Town Attorney and appear to be consistent with the intent of this resolution.
5. The Town of Hayden and the neighboring residents benefit greatly from the ease of access that the Haul Road provides and that for the past several years this private road has been used for the public at large and it is in the Town's best interest for this roadway to be maintained and exist in its current form.
6. The Town of Hayden benefits from the Haul Road being maintained by Routt County and it should become part of the Routt County Public Roadway system.

NOW, THEREFORE BE IT RESOLVED BY THE HAYDEN TOWN COUNCIL AS FOLLOWS:

Section 1. The Town Council desires to agree to the transfer of the Easement as it relates to the Haul Road, transferring the current easements from Peabody Mining Corp to Routt County for the purpose of converting the Haul Road from a private roadway to a Routt County publicly held roadway. The Town Council of Hayden also agrees that the public good is better served that the Haul Road remain in place and not be reclaimed to its original form. It is the Town Council's desire that the Mayor sign and execute both documents supporting this resolution hereto as Exhibit A and Exhibit B.

Section 2. This Resolution shall be in full force and effect upon its passage and adoption.

PASSED, APPROVED, AND RESOLVED THIS 21st DAY OF JULY, 2016.

James M. Haskins, Mayor

ATTEST:

Sharon Johnson, Town Clerk