



**AGENDA
HAYDEN TOWN COUNCIL MEETING
THURSDAY, SEPTEMBER 1, 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 August 4, 2016 Page 3

3. CONSIDERATION OF BILLS

A. Consideration of payment bill vouchers dated August 11, 2016 Page 7

B. Consideration of payment bill vouchers dated August 25 , 2016 Page 13

4. PUBLIC COMMENTS

5. PROCLAMATIONS/PRESENTATIONS

6. CONSENT ITEMS

A. Approval of Hayden Heritage Center and Museum Board Page 17

7. OLD BUSINESS

8. NEW BUSINESS

A. Decision: Resolution 2016-26 A Resolution for Acceptance of Outfall Project Final Completion Page 19

B. Decision: Ballot Lot Drawing for Candidates for Mayor and Councilmember Page 21

C. Decision: Resolution 2016-27 A Resolution for agreement with Kutak Rock, LLC Page 23

D. Decision: Resolution 2016-28 A Resolution for Bond Issue Ballot Question Page 30

E. Discussion: Marijuana Cultivation Excise Tax Page 32

9. PULLED CONSENT ITEMS

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.

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

11. EXECUTIVE SESSION

12. ADJOURNMENT

Staff & Councilmember Reports**Greg Tuliszewski reported on the following****Parks and Recreation**

- Triple Crown is complete for the season; the last competition was Wednesday, August 3, 2016. Hayden fields will be used if there is a rainout or other unforeseen reason Steamboat Springs fields are not available. Concessions at Dry Creek receives compliments on the park and fields regularly. Concessions revenue for the season will be available next month.

Public WorksStreets

- Finished cleaning sewers
- Cleaned sewer at RV dump at fairgrounds and opened it up
- Monthly maintenance on lift stations and pump houses
- Painted no parking on curb face of Poplar St by Fairgrounds for parking problems during Routt County Fair
- Straightened and painted rusty street signs
- Cut and sprayed alley right of ways
- Painted fire hydrants

Parks

- Triple Crown was here July 27 – 30 and Aug 3
- Painted ramps at Skateboard Park
- Repaired the grill at 3rd Street Park
- Maintenance on bathroom at Main St Park
- Replaced three trees on Highway 40

Police

- Russ is on Vacation
- There has been a recent outbreak of 'tagging' on the west side of town. The investigation is ongoing.
- The Rattle Snake settled in front of the Kum and Go doors was relocated
- Update on Police Department Staffing: Two applicants have made it through background checks and ready for Polygraphs and Psychological testing. HPD are budgeted for 1 position and with difficulties in locating qualified applicants, backfilling extra time spent by Chief of Police having Town Manager and patrol officer duties, and upcoming grow facilities that are going through Planning; HPD would like to extend conditional or tentative employment letters to both candidates and continue them through the process.

Town Clerk

Draft minutes subject to editing and approval prior to becoming official record.

Page 1 of 4

- Preparing for the November Election
- 26 door hangers for non-payment
- 3 Water Shut Offs due to non-payment
- Reviewing and processing 1st Marijuana License-Emerge Farms, LLC and Hayden Green Grow

Administration

- Would like to cancel the August 18th meeting. Originally planned to move to the 16th of August, however the main issue for that meeting will not be ready. With the Routt County Fair and other responsibilities I would recommend cancelling this upcoming meeting.
- Concerns over Routt County Proposal to add an excise tax and open up marijuana grows in unincorporated Routt County
 - Met with Mayor prior to his leaving town about this issue
 - Met with Commissioner Monger who advised they are interested in the unincorporated parts of Routt County. He expressed that he did not want to impact the municipalities within Routt County and believed this to apply to the other commissioners
 - Would recommend a letter outlining the concerns be sent and officially presented to the Routt County Board of Commissioners
- Would like to move Jay Dee Hockaday into the position of Public Works Director
- Reviewed the Town Manager / Chief of Police Schedule for the next 2 to 3 weeks.
- Town Manager Search Update
- Elected Officials Workshop Aug 17th at 5:00pm
- 4H BBQ tickets – Directed to have drawing and give to staff

Mayor Pro Tem Robinson

- Are we getting the service we need through SAFEbuilt? Inspections are inadequate; important items are overlooked and unimportant things are harped on. This is being brought up not to discourage building but to build at a higher standard

Staff reports will continue at the end of the meeting.

Mayor Pro Tem Robinson called the regular meeting of the Hayden Town Council to order at 7:34 p.m. Councilmembers Hagins, Redmond, Hayden, and Forrest present. Also present were Interim Town Manager and Police Chief, Greg Tuliszewski, Town Clerk, Sharon Johnson, and Parks and Recs Coordinator Jill Delay.

Opening Prayer

Mayor Pro Tem Robinson offered the opening prayer.

Pledge of Allegiance

Mayor Pro Tem Robinson led the Pledge of Allegiance.

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Page 2 of 4

**Minutes –
July 21, 2016**

Councilmember Hagins moved to approve the minutes of the Regular Town Council Meeting held on July 21, 2016. Councilmember Redmond seconded. Roll call vote. Councilmember Redmond – aye. Councilmember Hagins– aye. Councilmember Hayden – aye. Councilmember Forrest – aye. Mayor Pro Tem Robinson – aye. Motion carried.

Consideration of Bill Payment Voucher dated July 28, 2016

Councilmember Forrest moved to approve the bill payment voucher dated July 28, 2016 in the amount of \$113,188.33. Councilmember Redmond seconded. Roll call vote. Councilmember Hayden– aye. Councilmember Redmond – aye. Councilmember Forrest – aye. Councilmember Hagins– aye. Mayor Pro Tem Robinson – aye. Motion carried.

Public Comments

None.

**Proclamations/
Presentations**

Mayor Pro Tem Robinson presented Bryan Richards with an award for his years of service with the Town of Hayden.

Consent Items

Decision: Consideration for Parade/Street Closure Routt County Fair

Decision: Consideration for a Special Events License for the Routt County Fair

Councilmember Hayden moved to approve consent items. Councilmember Hagins seconded. Roll call vote. Mayor Pro Tem Robinson – aye. Councilmember Hayden– aye. Councilmember Hagins– aye. Councilmember Redmond – aye. Councilmember Forrest– aye. Motion carried.

Old Business

None.

New Business

Decision: Resolution 2016-25 A Resolution approving the Plat of McCarty Minor

Mayor Pro Tem Robinson moved to approve Resolution 2016-25 A Resolution approving the Plat of McCarty Minor. Councilmember Hagins

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Page 3 of 4

seconded. Roll call vote. Mayor Pro Tem Robinson – aye. Councilmember Hagins– aye. Councilmember Forrest– aye. Councilmember Redmond – aye. Councilmember Hayden– aye. Motion carried.

Decision: Resolution 2016-24 A Resolution approving an agreement with Process Performance Management, LLC (PPM) for services as related to water, wastewater, distribution and collection and the Town of Hayden

Councilmember Hayden moved to approve Resolution 2016-24 A Resolution approving an agreement with Process Performance Management, LLC (PPM) for services as related to water, wastewater, distribution and collection and the Town of Hayden. Councilmember Hagins seconded. Roll call vote. Councilmember Forrest– aye. Mayor Pro Tem Robinson – aye. Councilmember Hayden– aye. Councilmember Hagins– aye. Councilmember Redmond – aye. Motion carried.

Pulled Consent Items

None.

Staff and Councilmember Reports Continued

None.

Executive Session

None.

Adjournment

Mayor Pro Tem Robinson adjourned the meeting at 9:12 p.m.

Recorded by:

Sharon Johnson, Town Clerk

APPROVED THIS 1st DAY OF September, 2016.

James M. Haskins, Mayor

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
6645	Action Services Inc	39678	RV Dump Repair	07/26/2016	750.00	.00		
Total 6645:					750.00	.00		
1200	Bear River Valley Co-Op	07252016	Streets Vehicle Expense - Fuel	07/25/2016	358.01	.00		
1200	Bear River Valley Co-Op	07252016	Streets Vehicle Maintenance - Fu	07/25/2016	539.38	.00		
1200	Bear River Valley Co-Op	07252016	Streets Weed Control - Fuel	07/25/2016	98.02	.00		
1200	Bear River Valley Co-Op	07252016	Parks - Vehicle Exp - Fuel	07/25/2016	19.33	.00		
1200	Bear River Valley Co-Op	07252016	Parks - Vehicle Exp - Fuel	07/25/2016	611.51	.00		
1200	Bear River Valley Co-Op	07252016	Parks - Vehicle Exp - Fuel	07/25/2016	131.49	.00		
1200	Bear River Valley Co-Op	07252016	Water Vehicle Expense - Fuel	07/25/2016	133.25	.00		
1200	Bear River Valley Co-Op	07252016	Water Vehicle Expense - Fuel	07/25/2016	6.75	.00		
1200	Bear River Valley Co-Op	07252016	Rec Events - Fuel	07/25/2016	18.76	.00		
1200	Bear River Valley Co-Op	07252016	PD Vehicle Maintenance - Fuel	07/25/2016	355.96	.00		
Total 1200					2,272.46	.00		
12157	Boston, Sandra	08042016	Travel Reimbursement	08/04/2016	71.16	.00		
Total 12157:					71.16	.00		
1310	Boy-Ko Supply Co	56478	Parks Supplies	07/27/2016	98.50	.00		
Total 1310					98.50	.00		
1400	Caselle Inc	74659	Support Contract Sept	08/01/2016	366.17	.00		
1400	Caselle Inc	74659	Support Contract Sept	08/01/2016	183.08	.00		
1400	Caselle Inc	74659	Support Contract Sept	08/01/2016	183.08	.00		
Total 1400					732.33	.00		
3770	CenturyLink	3058JUL16	Water Phones_3058	07/25/2016	53.40	.00		
3770	CenturyLink	3741JUL16	Admin Phones_3741	07/25/2016	407.19	.00		
3770	CenturyLink	4330JUL16	Sewer Phones_4330	07/25/2016	55.00	.00		
Total 3770:					515.59	.00		
12310	CNC Technical Services LLC	P1511	Portable VHF Radios	07/20/2016	777.20	.00		
12310	CNC Technical Services LLC	P1533	Battery assembly	07/25/2016	404.00	.00		
12310	CNC Technical Services LLC	P1536	Streets - Radio repair	08/03/2016	75.00	.00		
Total 12310:					1,256.20	.00		
10690	CO Dept of Public Health & Env	FGD2016741	Drinking Water Fee 07/2016-06/2	07/20/2016	465.00	.00		
10690	CO Dept of Public Health & Env	WU171021869	Permit CO0040959 07/2016-06/2	07/28/2016	2,120.00	.00		
10690	CO Dept of Public Health & Env	WU171021870	Annual pretreatment billing CO00	07/28/2016	75.00	.00		
Total 10690:					2,660.00	.00		
6610	Colorado Dept of Local Affairs	EIAF4114B	Water Plant Loan Payment EIAF	07/15/2016	16,048.49	.00		
6610	Colorado Dept of Local Affairs	EIAF5819	Water Line (WET) Loan Payment	07/15/2016	18,527.76	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 6610					34,576.25	.00		
1700	Colorado Municipal Judge Assn	08012016	Colorado Springs Fall Conf 2016	08/01/2016	175.00	.00		
Total 1700					175.00	.00		
7745	Craig Steel	19318	Streets R&M	07/26/2016	10.35	.00		
7745	Craig Steel	19331	Parks - 3rd St BBQ	07/28/2016	137.00	.00		
Total 7745					147.35	.00		
2050	Dana Kepner Company Inc	1430996-00	Water Dist - Hydrant paint	08/02/2016	160.00	.00		
2050	Dana Kepner Company Inc	1430996-00	Sewer Collection - manhole lid	08/02/2016	392.31	.00		
Total 2050					552.31	.00		
12311	Daugherty, Shayna	394.11	Utility deposit refund	07/27/2016	7.68	.00		
Total 12311					7.68	.00		
2580	Hayden Merc	01-365340	HPR Board	07/11/2016	31.74	.00		
2580	Hayden Merc	01-367124	Hayden Daze	07/15/2016	20.80	.00		
2580	Hayden Merc	01-372354	Streets - Supplies	07/26/2016	5.57	.00		
2580	Hayden Merc	02-393198	Streets - Supplies	07/07/2016	14.99	.00		
2580	Hayden Merc	02-397119	Parks - supplies	07/14/2016	5.99	.00		
2580	Hayden Merc	02-403628	Streets - Supplies	07/26/2016	5.48	.00		
2580	Hayden Merc	03-370822	Parks - supplies	07/05/2016	23.96	.00		
2580	Hayden Merc	03-381061	Parks - supplies	07/27/2016	86.92	.00		
2580	Hayden Merc	03-381810	Streets - Supplies	07/29/2016	9.48	.00		
Total 2580					204.93	.00		
2540	Hayes Trucking, Inc	07252016	Concrete Blocks	07/25/2016	447.00	.00		
Total 2540					447.00	.00		
2730	Jackson's Office Supply	10403165	PW - Print cartridges	07/25/2016	48.99	.00		
2730	Jackson's Office Supply	10403203	PW - Print cartridges	07/26/2016	602.58	.00		
Total 2730					651.57	.00		
12096	JVA, Inc	59548	2015 Roadway Improvements	03/21/2016	670.00	.00		
Total 12096					670.00	.00		
4960	KRAI-AM AND KRAI-FM	1816-00009-00	Hayden Daze Radio Ad	07/17/2016	400.00	.00		
Total 4960					400.00	.00		
12312	Manatt, Jerald	1010.08	Utility deposit refund	08/02/2016	75.00	.00		
Total 12312					75.00	.00		
8375	MASON SIEDSCHLAW	1946	Server recovery	04/12/2016	585.00	.00		
8375	MASON SIEDSCHLAW	1960	Update mail server	07/12/2016	112.50	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 8375					697.50	00		
2960	MJK Sales & Feed Inc	208874	Hayden Daze	07/28/2016	69.99	00		
2960	MJK Sales & Feed Inc	208874	Parks - skate park	07/28/2016	145.95	00		
2960	MJK Sales & Feed Inc	209274	Parks - light bulbs	08/03/2016	41.94	00		
2960	MJK Sales & Feed Inc	209467	Water - repair supplies	08/05/2016	56.65	00		
Total 2960					314.53	00		
8920	Murdoch's Ranch & Home Craig	147393/19	Hayden Daze	07/13/2016	56.96	00		
8920	Murdoch's Ranch & Home Craig	147442/19	Streets - R&M Binder chain	07/26/2016	69.99	00		
8920	Murdoch's Ranch & Home Craig	147459/19	Streets R&M - hinges	07/29/2016	38.97	00		
Total 8920					165.92	00		
10080	Neve's Uniforms Inc	338884	Credit	08/04/2016	46.95	00		
10080	Neve's Uniforms Inc	LN-337748	PD Uniforms	07/15/2016	88.95	00		
10080	Neve's Uniforms Inc	LN-338326	PD Uniforms - pepper spray	07/26/2016	133.54	00		
10080	Neve's Uniforms Inc	LN-338348	PD Uniforms - holster	07/26/2016	194.00	00		
10080	Neve's Uniforms Inc	LN-338349	PD Uniforms	07/26/2016	409.58	00		
10080	Neve's Uniforms Inc	LN-338554	PD Uniforms	07/29/2016	247.82	00		
10080	Neve's Uniforms Inc	LN-338884	PD Uniforms	08/04/2016	103.89	00		
Total 10080					1,130.83	00		
3660	Peak Services	10243	HPD AC Repair	07/21/2016	487.50	00		
Total 3660					487.50	00		
2065	Routt County Auto Parts	10065-359037	PD vehicle maint - wax	07/15/2016	8.91	00		
2065	Routt County Auto Parts	10109-358674	Parks - cable tie	07/05/2016	9.00	00		
2065	Routt County Auto Parts	10109-358694	Parks vehicle maint	07/06/2016	4.99	00		
2065	Routt County Auto Parts	10109-358906	Shop - paint	07/12/2016	20.07	00		
2065	Routt County Auto Parts	10109-358918	Streets vehicle maint - brake contr	07/12/2016	104.00	00		
2065	Routt County Auto Parts	10109-358951	WTP - buckets	07/13/2016	16.37	00		
2065	Routt County Auto Parts	10109-358994	Hayden Daze	07/14/2016	5.75	00		
2065	Routt County Auto Parts	10109-359028	Shop - paint	07/15/2016	45.52	00		
2065	Routt County Auto Parts	10109-359165	Water vehicle maint	07/20/2016	12.28	00		
2065	Routt County Auto Parts	10109-359219	Water R&M - dust mask	07/21/2016	6.49	00		
2065	Routt County Auto Parts	10109-359390	Streets vehicle - seat cover	07/26/2016	240.87	00		
Total 2065					474.25	00		
10610	SAFEbuilt, Inc	0025816-IN	Building Department Services	07/31/2016	2,089.24	00		
Total 10610					2,089.24	00		
7090	Samuelson's - Craig	65478	Furnace filters - Dry Creek	08/02/2016	10.74	00		
7090	Samuelson's - Craig	65657	Hatches at Dry Creek Lift Stn	08/03/2016	2.38	00		
Total 7090					13.12	00		
12248	SGS Accutest Inc	D7-77337	Water - chemicals	07/26/2016	242.50	00		
12248	SGS Accutest Inc	D7-77389	Water - Chemicals	07/26/2016	253.50	00		
12248	SGS Accutest Inc	D7-77455	Water - chemicals	07/26/2016	109.50	00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 12248					605 50	.00		
5540	Snyder & Counts Feed & Supply	185428	WTP Chemicals_XCoarse Salt	08/05/2016	252 00	.00		
Total 5540					252 00	.00		
4880	Sprint	918280746-02	Sewer Cell Phone	07/29/2016	69 35	.00		
4880	Sprint	918280746-02	Streets Cell Phone	07/29/2016	76 66	.00		
4880	Sprint	918280746-02	Water Cell Phone	07/29/2016	77 09	.00		
4880	Sprint	918280746-02	HPD Cell Phone	07/29/2016	312 18	.00		
4880	Sprint	918280746-02	Recreation Cell Phone	07/29/2016	52 03	.00		
4880	Sprint	918280746-02	Public Works Tablet	07/29/2016	19 00	.00		
4880	Sprint	918280746-02	Public Works Tablet	07/29/2016	18 99	.00		
Total 4880					625 30	.00		
10930	Standard Plumbing Supply Co	FND987	Fields - PVC parts	07/06/2016	436.31	.00		
10930	Standard Plumbing Supply Co	FNF992	Fields - PVC parts	07/07/2016	67 97	.00		
10930	Standard Plumbing Supply Co	FNFF16	Fields - Repair parts	07/07/2016	361 09	.00		
10930	Standard Plumbing Supply Co	FNFF67	Fields - PVC parts freight charge	07/07/2016	30 00	.00		
10930	Standard Plumbing Supply Co	FNVJ00	Fields - PVC parts	07/19/2016	211.21	.00		
Total 10930					1,106 58	.00		
10530	Staples Business Advantage	3309256922	Adm Office Supplies	07/21/2016	101.97	.00		
10530	Staples Business Advantage	3309256923	Adm Office Supplies	07/21/2016	26 25	.00		
10530	Staples Business Advantage	3309256923	PD Office Supplies	07/21/2016	174 62	.00		
10530	Staples Business Advantage	3310159522	PD Office Supplies	07/21/2016	41 30	.00		
Total 10530:					344 14	.00		
3550	Steamboat Medical Group P.C	06 JUL 2016	Employee vaccinations	07/06/2016	85 00	.00		
3550	Steamboat Medical Group P.C	06 JUL 2016	Employee vaccinations	07/06/2016	248.00	.00		
Total 3550					333.00	.00		
3530	Steamboat Pilot	10435560	Legals	08/07/2016	30.21	.00		
3530	Steamboat Pilot	10435562	Legals	08/07/2016	30.21	.00		
Total 3530					60.42	.00		
2185	The Embroidery Shoppe LLC	5977	PD Uniforms	08/08/2016	488.00	.00		
Total 2185					488.00	.00		
12225	Tool Chick LLC	131236	Streets - Tools	07/28/2016	18 97	.00		
Total 12225					18 97	.00		
3710	Town of Hayden	JUL2016	11.05 Parks water	07/28/2016	72 45	.00		
3710	Town of Hayden	JUL2016	1208.01 Popler St park water	07/28/2016	40 96	.00		
3710	Town of Hayden	JUL2016	2035.01 PD water	07/28/2016	179 26	.00		
3710	Town of Hayden	JUL2016	2036.01 Popler St park water	07/28/2016	118.39	.00		
3710	Town of Hayden	JUL2016	2044.01 Vista Verde Park	07/28/2016	1,229.26	.00		
3710	Town of Hayden	JUL2016	2046.01 Lake view Rd park water	07/28/2016	470.91	.00		
3710	Town of Hayden	JUL2016	2066.01 RV Dump water	07/28/2016	73.68	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
3710	Town of Hayden	JUL2016	534.01 Chestnut St park	07/28/2016	93 17	.00		
3710	Town of Hayden	JUL2016	761.01 Baseball field water	07/28/2016	79 58	.00		
3710	Town of Hayden	JUL2016	15 01 Shop water	07/28/2016	67 70	.00		
3710	Town of Hayden	JUL2016	92 01 Rec water 20%	07/28/2016	16 67	.00		
3710	Town of Hayden	JUL2016	92 01 Town Hall water 80%	07/28/2016	66 66	.00		
3710	Town of Hayden	JUL2016	94.01 Key Pump water	07/28/2016	96 03	.00		
3710	Town of Hayden	JUL2016	96 01 New ballfield water	07/28/2016	1,166 92	.00		
3710	Town of Hayden	JUL2016	231 01 229 S 3rd St park water	07/28/2016	54 00	.00		
3710	Town of Hayden	JUL2016	232 01 Water Plant water	07/28/2016	60 08	.00		
3710	Town of Hayden	JUL2016	355 01 Sewer Plant water	07/28/2016	71 33	.00		
Total 3710					3,957.05	.00		
9545	U S Tractor & Harvest. Inc	P19758	Parks - Vehicle Expense	07/28/2016	54 60	.00		
9545	U S Tractor & Harvest. Inc	P20034	Parks - mower parts	08/03/2016	146 59	.00		
Total 9545					201 19	.00		
8740	Visa	JUL2016	Airbound - Hayden Daze	08/02/2016	2,000 00	.00		
8740	Visa	JUL2016	Webstaurant - Rec supplies	08/02/2016	82 64	.00		
8740	Visa	JUL2016	Dollar Tree - Hayden Daze	08/02/2016	32 15	.00		
8740	Visa	JUL2016	Dollar Tree - Hayden Daze	08/02/2016	12 86	.00		
8740	Visa	JUL2016	CO Govt	08/02/2016	1 00	.00		
8740	Visa	JUL2016	USPS - Postage	08/02/2016	100 00	.00		
8740	Visa	JUL2016	Routt Co Doc recording Ord for M	08/02/2016	29 40	.00		
8740	Visa	JUL2016	USPS - Postage for water testing	08/02/2016	2 64	.00		
8740	Visa	JUL2016	Routt Co Doc recording of X West	08/02/2016	53 94	.00		
8740	Visa	JUL2016	Int'l Inst of Muni Clerks	08/02/2016	180 00	.00		
8740	Visa	JUL2016	CO Govt	08/02/2016	1 00	.00		
8740	Visa	JUL2016	Crown Awards	08/02/2016	97 25	.00		
8740	Visa	JUL2016	Stamps com - postage	08/02/2016	15 99	.00		
8740	Visa	JUL2016	Threatrack - upgrade computer s	08/02/2016	118 26	.00		
8740	Visa	JUL2016	Lodge Casino credit	08/02/2016	25 00	.00		
8740	Visa	JUL2016	Grand Jct PD CORA class	08/02/2016	100 00	.00		
8740	Visa	JUL2016	Egg & I Law Lunch	08/02/2016	20 00	.00		
8740	Visa	JUL2016	The Lodge Casino - EForce Confe	08/02/2016	124 00	.00		
8740	Visa	JUL2016	3 Wire Bar - PD Meeting	08/02/2016	33 61	.00		
8740	Visa	JUL2016	K&G Hayden Daze	08/02/2016	68 52	.00		
8740	Visa	JUL2016	Taser traububg	08/02/2016	435 00	.00		
8740	Visa	JUL2016	Wolf Mtn Pizza - WTP meeting/tra	08/02/2016	60 00	.00		
8740	Visa	JUL2016	Just blinds - PD building	08/02/2016	79 85	.00		
8740	Visa	JUL2016	Hiway bar - PD Dept mtg	08/02/2016	40 00	.00		
8740	Visa	JUL2016	Routt CO Doc recording McCarty	08/02/2016	29 40	.00		
Total 8740					3,692.51	.00		
9960	Warning. Tanya	AUG2016	Janitorial Services August	08/04/2016	340.00	.00		
Total 9960.					340 00	.00		
10600	Waste Management-SBS #001-85	AUG2016	Residential Trash Service	08/01/2016	11,816.96	.00		
Total 10600:					11,816.96	.00		
12167	WEX Bank	46341324	PD Vehicle Expense - Fuel	07/31/2016	313.21	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 12167.					313.21	.00		
6085	Xerox Corporation	085753007	ADMIN COPIER/PRINTER	08/04/2016	243.05	.00		
6085	Xerox Corporation	085753008	PD COPIER/PRINTER	08/04/2016	235.74	.00		
Total 6085					478.79	.00		
4010	Yampa Valley Electric	1802JUL16	Street Lights electric 1510001802	07/29/2016	1,975.43	.00		
Total 4010.					1,975.43	.00		
4245	Zirkel Wireless, LLC	138183	WTP Internet Service Acct 4377 A	07/20/2016	79.00	.00		
4245	Zirkel Wireless, LLC	138184	Shop Internet Service Acct 4378	07/20/2016	46.00	.00		
Total 4245:					125.00	.00		
Grand Totals:					78,370.27	.00		

Report Criteria

Detail report
Invoices with totals above \$0 included
Paid and unpaid invoices included.

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
12134	A-1 Collection Agency, LLC	SEP16	Garnishment	09/01/2016	23.09	.00		
Total 12134:					23.09	.00		
11725	Allee, Mike and Sansa	2002.02	Utility Deposit Refund	08/10/2016	34.27	.00		
Total 11725:					34.27	.00		
2440	Atmos Energy	0332AUG16	Water plant gas 3013140332	08/11/2016	46.96	.00		
2440	Atmos Energy	1967AUG16	Shop gas 3016201967	08/12/2016	44.06	.00		
2440	Atmos Energy	2144AUG16	Sewer plant gas 3016202144	08/12/2016	40.27	.00		
2440	Atmos Energy	2411AUG16	Parks Gas 3016202411	08/12/2016	29.28	.00		
2440	Atmos Energy	2626AUG16	Rec gas 20% - 3016202626	08/12/2016	5.86	.00		
2440	Atmos Energy	2626AUG16	Town hall gas 80% 3016202626	08/12/2016	23.42	.00		
2440	Atmos Energy	2886AUG16	Crandall House gas 3016202886	08/11/2016	29.40	.00		
2440	Atmos Energy	3116AUG16	Airport Lift gas 3016203116	08/12/2016	31.91	.00		
2440	Atmos Energy	3349AUG16	Dry Creek Lift gas 3016203349	08/12/2016	20.69	.00		
2440	Atmos Energy	3590AUG16	Parks Gas 3016203590	08/12/2016	33.94	.00		
2440	Atmos Energy	3590AUG16	Golde Meadows gas	08/12/2016	99.08	.00		
2440	Atmos Energy	7426AUG16	PD gas 3017767426	08/12/2016	33.94	.00		
Total 2440:					438.81	.00		
1650	CEBT	0014845	Sewer Benefits	08/19/2016	516.49	.00		
1650	CEBT	0014845	Streets Benefits	08/19/2016	2,751.73	.00		
1650	CEBT	0014845	Water Benefits	08/19/2016	1,255.09	.00		
1650	CEBT	0014845	Parks Benefits	08/19/2016	1,322.24	.00		
1650	CEBT	0014845	Sewer Admin Benefits	08/19/2016	1,029.45	.00		
1650	CEBT	0014845	Water Admin Benefit	08/19/2016	1,029.45	.00		
1650	CEBT	0014845	Admin Benefits	08/19/2016	3,110.55	.00		
1650	CEBT	0014845	PD Benefits	08/19/2016	6,107.15	.00		
Total 1650:					17,122.15	.00		
3770	CenturyLink	2535AUG16	PD Phones_2535	08/04/2016	322.83	.00		
Total 3770:					322.83	.00		
1645	Charter Communications	1237AUG16	PD Charter Internet_1237	08/07/2016	81.94	.00		
Total 1645:					81.94	.00		
12175	Choice Property Preservation,	101.08	Utility Deposit refund	08/18/2016	27.11	.00		
Total 12175:					27.11	.00		
12074	CliftonLarsonAllen LLP	1327991	Accounting services July	08/05/2016	2,376.15	.00		
12074	CliftonLarsonAllen LLP	1327991	Accounting services July	08/05/2016	1,187.50	.00		
12074	CliftonLarsonAllen LLP	1327991	Accounting services July	08/05/2016	1,187.50	.00		
Total 12074:					4,751.15	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
7745	Craig Steel	19436	Shop R&M	08/18/2016	260.00	.00		
Total 7745:					260.00	.00		
2150	DPC Industries Inc	737003627-16	Chemicals	08/02/2016	483.04	.00		
2150	DPC Industries Inc	DE73000798-1	Chemicals	07/31/2016	110.00	.00		
Total 2150:					593.04	.00		
12313	Dunn, Steven	092293	Water plant R&M parts	08/15/2016	27.28	.00		
Total 12313:					27.28	.00		
12109	Haskins Cleaning	JUL2016	Town Hall Cleaning July	08/22/2016	200.00	.00		
Total 12109:					200.00	.00		
12314	Hayden Warehouse LLC	524.02	Utility deposit refund	08/18/2016	56.42	.00		
Total 12314:					56.42	.00		
1360	Hinton Burdick CPAs & Advisors	152303	2015 Audit final bill	07/31/2016	3,718.79	.00		
Total 1360:					3,718.79	.00		
4535	InSite Media, Inc	2113	Social Media	08/19/2016	250.00	.00		
4535	InSite Media, Inc	2113	Website hosting	08/19/2016	162.50	.00		
Total 4535:					412.50	.00		
12096	JVA, Inc	61403	Hayden Roadway Improvemnt Desi	07/25/2016	12,350.00	.00		
12096	JVA, Inc	61699	Review proposed developments	07/25/2016	396.00	.00		
Total 12096:					12,746.00	.00		
2960	MJK Sales & Feed Inc	209979	Weed control	08/12/2016	259.98	.00		
Total 2960:					259.98	.00		
12315	Municode	00274255	Municipal code copies	08/17/2016	2,022.27	.00		
Total 12315:					2,022.27	.00		
8920	Murdoch's Ranch & Home Craig	147507/19	PD Uniforms	08/11/2016	119.97	.00		
Total 8920:					119.97	.00		
10080	Neve's Uniforms Inc	LN-339317	PD Uniform Pants	08/12/2016	198.89	.00		
Total 10080:					198.89	.00		
3820	Postmaster	08152016	Postage	08/15/2016	500.00	.00		
3820	Postmaster	08152016	Postage	08/15/2016	500.00	.00		
Total 3820:					1,000.00	.00		
12090	Precision Sharpening & Repair	53837	Streets - misc parts	08/12/2016	49.39	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 12090:					49.39	.00		
12316	Raymond, Halen	240.11	Utility deposit refund	08/18/2016	35.36	.00		
Total 12316:					35.36	.00		
12068	RG & Associates, LLC	1012308	Wagner equipment	08/15/2016	522.50	.00		
12068	RG & Associates, LLC	1012308	RV Park	08/15/2016	95.00	.00		
12068	RG & Associates, LLC	1012308	Hayden Green Grow	08/15/2016	1,662.50	.00		
12068	RG & Associates, LLC	1012308	McCarty Annexation	08/15/2016	1,187.50	.00		
12068	RG & Associates, LLC	1012308	Emerge Farms	08/15/2016	1,092.50	.00		
12068	RG & Associates, LLC	1012308	348 Lake View Variance	08/15/2016	47.50	.00		
12068	RG & Associates, LLC	1012309	General planning	08/15/2016	4,655.00	.00		
Total 12068:					9,262.50	.00		
7090	Samuelson's - Craig	66086	Water - tubing for new turbidity m	08/08/2016	13.63	.00		
7090	Samuelson's - Craig	66370	Irrigation boxes	08/10/2016	906.39	.00		
7090	Samuelson's - Craig	67135	Streets -plywood	08/18/2016	30.08	.00		
Total 7090:					950.10	.00		
3460	Shepherd & Sons Inc	40953	WTP - install mini split	08/15/2016	4,155.10	.00		
Total 3460:					4,155.10	.00		
1655	STANDARD INSURANCE COMP	09012016	SWR LTD	08/17/2016	20.60	.00		
1655	STANDARD INSURANCE COMP	09012016	STREETS LTD	08/17/2016	45.31	.00		
1655	STANDARD INSURANCE COMP	09012016	WATER LTD	08/17/2016	27.46	.00		
1655	STANDARD INSURANCE COMP	09012016	PARKS LTD	08/17/2016	16.48	.00		
1655	STANDARD INSURANCE COMP	09012016	SWR ADM LTD	08/17/2016	17.16	.00		
1655	STANDARD INSURANCE COMP	09012016	WTR ADM LTD	08/17/2016	17.16	.00		
1655	STANDARD INSURANCE COMP	09012016	ADMIN LTD	08/17/2016	61.79	.00		
1655	STANDARD INSURANCE COMP	09012016	PD LTD	08/17/2016	151.05	.00		
Total 1655:					357.01	.00		
3530	Steamboat Pilot	10432410	Utility Manager	07/21/2016	374.00	.00		
3530	Steamboat Pilot	10432969	McCarty Annexation	07/10/2016	52.76	.00		
3530	Steamboat Pilot	10436326	Water/Sewer Manager	08/17/2016	414.00	.00		
Total 3530:					840.76	.00		
12029	Tuliszewski, Greg	08232016	Routt County Fair - meals	08/23/2016	450.00	.00		
Total 12029:					450.00	.00		
7070	USA BlueBook	026696	WTP - pump replacement	08/05/2016	4,160.55	.00		
7070	USA BlueBook	030465	WWTP - lab equipment	08/10/2016	235.57	.00		
Total 7070:					4,396.12	.00		
3880	Wagner Equipment Co	P04C0291251	Streets R&M - seal o ring	08/13/2016	3.02	.00		
Total 3880:					3.02	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
4010	Yampa Valley Electric	0401AUG16	PD electric 660020401	08/18/2016	496.37	.00		
4010	Yampa Valley Electric	1401AUG16	Seneca Hill electric 660021401	08/18/2016	115.85	.00		
4010	Yampa Valley Electric	3101AUG16	Parks electric 730013101	08/17/2016	395.45	.00		
4010	Yampa Valley Electric	3202AUG16	Airport Lift electric 660013202	08/18/2016	145.69	.00		
4010	Yampa Valley Electric	3501AUG16	Parks electric 730013501	08/17/2016	276.29	.00		
4010	Yampa Valley Electric	7601AUG16	Parks electric 780017601	08/17/2016	27.61	.00		
4010	Yampa Valley Electric	7802JUL16	Water electric 660007802	08/18/2016	2,158.53	.00		
4010	Yampa Valley Electric	8001AUG16	Washington/Ash electric 7000080	08/17/2016	51.55	.00		
4010	Yampa Valley Electric	8103AUG16	Parks electric 730008103	08/17/2016	56.05	.00		
4010	Yampa Valley Electric	8803AUG16	Golden Meadows electric 780008	08/17/2016	806.80	.00		
4010	Yampa Valley Electric	9402AUG16	Key Pump electric 730009402	08/17/2016	31.99	.00		
Total 4010:					4,562.18	.00		
3390	Yampa Valley Medical Center	07052016	Pre-employment Screening	08/02/2016	35.00	.00		
Total 3390:					35.00	.00		
Grand Totals:					69,513.03	.00		

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.



Town of Hayden
Town Council Agenda Item

MEETING DATE: September 1, 2016

AGENDA ITEM TITLE: Approval of Hayden Heritage Center and Museum Board

AGENDA SECTION: Consent

PRESENTED BY: Interim Town Manager, Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULED: Not preferred

BACKGROUND REVIEW:

The Hayden Heritage Center and Museum shall appoint a Board with the approval of a majority vote of the Town Council; the approval of the board is required as a fiduciary of the Hayden Heritage Center and Museum budget and lessor of the property and liability coverage in which the Hayden Heritage Center and Museum is housed.

RECOMMENDATION: ***I move to Approve the Hayden Heritage Center and Museum Board.***

MANAGER RECOMMENDATION/COMMENTS: I concur with the recommendation.

Hayden Heritage Center
Board of Directors/Curator

Laurel Watson, Curator
1560 Conestoga Circle
Steamboat Springs, Co 80487
970-819-4719
laurelwatson04@gmail.com

Laura Schrettner
PO Box 1603
Hayden, Co 81639
970-208-5755
67crochet@gmail.com
Term ends 2018

Patrick Delaney
41090 RC Road 80
Hayden, Co 81639
970-846-2238
pgdhayden@gmail.com
Term ends 2018

Bill Doolin
PO Box 103
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bdoolin01@me.com
Term ends 2021

Bonnie Girton
PO Box 332
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970-846-0876 970-276-4411
ggscoffee@gmail.com
Term ends 2017

Barbara Manzanares
PO Box 216
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970-734-8021 970-276-3310
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Term ends 2017

Kevin Copeland
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970-846-7107 970-870-2727
kcopeland@peabodyenergy.com
Term ends 2019

Tena Frentress
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Hayden, Co 81639
970-757-1022 970-276-3262
cattleman@q.com
Term ends 2020



Town of Hayden

Town Council Agenda Item

MEETING DATE: September 1, 2016

AGENDA ITEM TITLE: Resolution 2016-26 WWTF Outfall-Lift Station and Forcemain Project – Final Completion

AGENDA SECTION: New Business

PRESENTED BY: Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULED: No

BACKGROUND REVIEW: This is documentation in regards to Final Completion of the WWTF Outfall-Lift Station and Forcemain Project. The Town of Hayden awarded the Outfall and Sewer System Improvement Project to Native Excavating by Resolution 2016-26 on July 24, 2014. The Town's consulting engineer, JVA, Inc., and Native Excavating have signed the certification of final completion. On February 23, 2016 a final walk-through was done with Native and JVA, Inc. with no punch list items outstanding. On Aug. 26, 2016 a final walk through was completed with no outstanding issues.

RECOMMENDATION: It is recommended that the Town of Hayden accept the final completion.

MANAGER'S RECOMMENDATION/COMMENTS: ***Concur with the recommendation***

RESOLUTION 2016-26

A RESOLUTION FOR THE ACCEPTANCE OF FINAL COMPLETION OF THE WWTF OUTFALL-LIFT STATION AND FORCEMAIN PROJECT, WHICH WAS AWARDED TO NATIVE EXCAVATING, INC.

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; and
2. The Town of Hayden Town Council awarded the WWTF Outfall-Lift Station and Forcemain Project Native Excavating, Inc. by Resolution 2015-23 on September 17, 2015; and
3. The Town of Hayden's consulting engineer, SGM, Inc., has signed the Certification of Final Completion of the WWTF Outfall-Lift Station and Forcemain Project constructed by Native Excavating, Inc.; and
4. The Native Excavating, Inc. has substantially completed the project and during a final walk-through on February 23, 2106, SGM, Inc., confirmed the substantial completion of the contracted work at the site, and
5. The requirements under the construction contract have been met.

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

Section 1. The Town Council accepts the WWTF Outfall-Lift Station and Forcemain Project in the form of final completion the same as attached herewith.

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

PASSED, APPROVED, AND RESOLVED THIS 1ST DAY OF SEPTEMBER, 2016.

James M. Haskins, Mayor

ATTEST:

Sharon Johnson, Town Clerk



Town of Hayden

Town Council Agenda Item

MEETING DATE: September 1, 2016

AGENDA ITEM TITLE: Ballot Lot Drawing for Candidates for Mayor and Councilmember

AGENDA SECTION: New Business

PRESENTED BY: Sharon Johnson

CAN THIS ITEM BE RESCHEDULED: No

BACKGROUND REVIEW: Per C.R.S. 1-5-406 Content of ballots for nonpartisan elections; The designated election official shall provide printed ballots for every election. The official ballots shall be printed and in the possession of the designated election official at least thirty days before the election. Every ballot shall contain the names of all duly nominated candidates for offices to be voted for at that election, except those who have died or withdrawn, and the ballot shall contain no other names. The arrangement of the names shall be established by lot at any time prior to the certification of the ballot. The designated election official shall notify the candidates of the time and place of the lot-drawing for the ballot. The drawing shall be performed by the designated election official or a designee. The names shall be printed on the ballot without political party designation. The names of all candidates will be placed in a container and pulled by the Town Clerk. The first name pulled will be the first on the ballot, the second name pulled will be the second on the ballot and so forth. The names shall be pulled by seat vacancy; a lot drawing for Mayor and a lot drawing for Councilmember. The lot drawing and candidate order will be approved by the Town Council and sent to Routt County with the Ballot Certification.

RECOMMENDATION: Move to approve the lot drawing for name order of the candidates.

MANAGER RECOMMENDATION/COMMENTS: *I concur with the recommendation. This is by Colorado Revised Statutes to certify the ballot.*

Richard "Festus" Hagins

Charles Forrest

Ashley McMurray

Brodie Farquhar



Town of Hayden

Town Council Agenda Item

MEETING DATE: September 1, 2016

AGENDA ITEM TITLE: Resolution 2016-27 Engagement of Bond Council for November Bond Issue

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 and Ehler's and associates placed and sent out an RFP to retain Bond Council for the purposes of development of the Ballot Question, and if voter approved, assisting with the needed legal documents and requirements. After reviewing and evaluating the returned RFP's (3 total) Town Staff and EHLERS and Associates recommend engaging and entering into a contract with Kutak Rock LLC, for the purposes of Bond Council for the upcoming Bond Question of funding the needed street improvements. Kutak Rock has been engaged in the past by the Town of Hayden for similar Bond issues, is familiar with the Town of Hayden and its needs. The use of Kutak Rock in the past was a good partnership and resulted in the Town accomplishing its goals at that time.

Kutak Rock is paid from the proceeds of the Bond Sale. There is no upfront cost to the Town of Hayden to retain Kutak Rock.

MANAGER'S RECOMMENDATION/COMMENTS:

I would recommend that the Town Council retain and engage Kutak Rock for the objective of successfully placing the Bond question on the November 2016 Ballot. After voter approval, Kutak Rock LLC would be retained for the purpose of completing and following up on the federal and state mandated paperwork that accompanies a municipal Bond Sale. Payment of Kutak Rock LLC is part of the bond financing. If the bond does not pass voter approval then there is no liability to the Town for Kutak Rock LLC services.

RESOLUTION 2016-27

A RESOLUTION APPROVING KUTAK ROCK LLP FOR MUNICIPAL AS BOND COUNSEL TO THE TOWN OF HAYDEN IN CONNECTION WITH THE NOVEMBER 8, 2016 GENERAL ELECTION BALLOT BOND ISSUE FOR THE HAYDEN STREET REPAIR AND ROADWAY IMPROVEMENT PROJECT.

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 Kutak Rock LLP to provide 2016 Hayden Street Repair and Roadway Improvement Project Bond Counsel assistance. This is for the maintenance and repair of certain Town streets so that the matter of Hayden Street Repair and Roadway Improvement 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 Kutak Rock LLP submitted a proposal and agreement for the aforementioned Bond Counsel and Bond Management services to be paid for from the proceeds from a successful voter approved Bond Ballot Question.
4. The Town of Hayden 2017 Budget includes funding for the Hayden Street Repair and Roadway Improvement, to be funded through the Bond Issue affirmed by the electors of the Town of Hayden in the November 8, 2016 General Election.
5. Kutak Rock, LLP has successfully acted on behalf of the Town as bond counsel for previous Authority loans.
6. Kutak Rock, LLP has provided a Letter of Engagement to act as Bond Counsel to the Town Manager for a fee included in the successfully passed bond issue; should the bond issue not pass, there is no fee.

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

Section 1. The Town Council desires to hire Kutak Rock LLP to provide municipal advisement and bond council 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 Bonds, Ballot Question, Disclosures, and lead attorney and primary contact 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 1st DAY OF SEPTEMBER, 2016.

James M. Haskins, Mayor

ATTEST:

Sharon Johnson, Town Clerk

KUTAK ROCK LLP

**SUITE 3000
1801 CALIFORNIA STREET
DENVER, COLORADO 80202-2626**

**303-297-2400
FACSIMILE 303-292-7799**

www.kutakrock.com

ATLANTA
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KANSAS CITY
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LOS ANGELES
MINNEAPOLIS
OKLAHOMA CITY
OMAHA
PHILADELPHIA
RICHMOND
ROGERS
SCOTTSDALE
SPOKANE
WASHINGTON, D.C.
WICHITA

MARIO T. TRIMBLE
mario.trimble@kutakrock.com
(303) 297-2400

August 19, 2016

VIA E-MAIL

Ms. Sharon Johnson, Town Clerk
Town of Hayden
178 West Jefferson Avenue
Hayden, CO 81639-0190

Re: Proposal to Provide Bond and Disclosure Counsel Services

Dear Ms. Johnson:

Kutak Rock LLP is grateful for the opportunity to respond to your Request for Proposal to provide bond and disclosure counsel services to the Town of Hayden (the "Town") for the anticipated issuance of its over \$4,000,000 General Obligation Bonds, Series 2017. We have endeavored to provide you with sufficient information to enable you to make an informed decision about our qualifications and experience. In the interest of brevity, specific responses to the questions posed in the "Qualifications of Bond Counsel" section of the RFP are provided below. Please do not hesitate to contact us for more detailed answers to these or any other questions you may have:

1. Kutak Rock LLP is a national firm more than 500 lawyers with offices in Denver, Colorado as well as 17 other cities nationwide. Kutak Rock does not designate any individual office as the firm's headquarters. The original office in Omaha, however, is the firm's largest office and serves as the administrative center of the firm. The address of the Omaha office is 1650 Farnam Street, Omaha, NE 68102, and the address of the Denver office is 1801 California Street, Suite 3000, Denver, CO 80202.
2. Kutak Rock was established in Omaha, Nebraska in 1965 as a three-lawyer practice that has grown to a current roster of more than 500 attorneys with offices in 18 different US cities. As of June 30, 2016, the firm had 318 partners, 118 associates, 67 "of counsel" lawyers and four staff attorneys, for a total of 507. The partners own the firm, and all other lawyers are employees. Approximately 400 managers and staff members support the attorneys in their practice of the law.

The firm maintains expertise in the areas of public finance, general corporate law, corporate finance, real estate, litigation, intellectual property and technology law, labor and employment law, employee benefits law, securitization, tax, tax credits, banking, bankruptcy, health care law, insurance, antitrust, environmental law, federal practice, international trade and government relations. Kutak Rock has represented state and local governmental entities throughout the United States, every major investment banking firm in the United States, Fortune 500 corporations, numerous insurance companies, major European, Asian and domestic money-center banks, national real estate syndicators and developers, major national franchising enterprises and numerous other financial and business institutions. Kutak Rock's Web site at www.kutakrock.com contains information on every area of law in which the firm conducts a practice as well as a profile and e-mail link for each attorney in the firm.

KUTAK ROCK LLP

3. If selected to provide bond counsel and disclosure counsel services for the Town's financing, **Mario T. Trimble** would serve as the lead attorney and primary contact for the Town and would coordinate the participation of other members of the working group. In addition to Mr. Trimble, the firm would assign **Ashley S. Dennis** and **Matthias M. Edrich** to the engagement. Ms. Dennis would support Mr. Trimble with legal research and document preparation. Mr. Edrich would provide the tax analysis for the Town's bond issue. Mr. Trimble, a partner in the firm's Denver office, has concentrated his practice in the area of municipal finance in the State of Colorado since 2005, acting primarily as bond counsel and disclosure counsel for various Colorado county and municipal governments, school districts, special districts and related entities. Mr. Edrich, a partner Kutak Rock's Denver office, serves as a tax attorney in the firm's national federal public finance tax practice. He advises government, nonprofit and for-profit clients concerning the federal tax treatment of municipal and corporate securities offerings. Mr. Edrich also represents government and nonprofit clients in Internal Revenue Service audits of municipal debt. Ms. Dennis, an associate in the firm's Denver office, concentrates her practice in Colorado public finance. Ms. Dennis earned a bachelor's degree from the University of Denver in 2012 and her law degree from the University of Denver College of Law in 2015. Each individual is admitted to practice in Colorado.

All engagements that Kutak Rock accepts are carried through to completion on terms acceptable to and approved by the firm's clients. The Town has the firm's assurance that each of the attorneys listed above would arrange their respective schedules to accommodate Town officials as necessary to effectively and efficiently represent the Town, regardless of the time of day or day of the week. In addition, each attorney is committed to continuity of service throughout the life of the engagement.

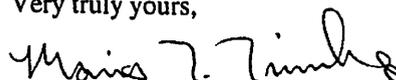
4. More than 110 Kutak Rock lawyers devote all or a major portion of their practice to the field of public finance and related aspects of law. The firm has served as bond counsel in more than 10,000 municipal bond issues in all 50 states, the District of Columbia, the Virgin Islands, Guam and Puerto Rico. No opinion of the firm with respect to the tax-exempt status of a bond issue has ever been the subject of any court action. Kutak Rock has been listed among the most active bond counsel firms in the nation in annual industry rankings since such statistics were first made available, including top 5 national rankings among Bond Counsel firms for each of the past 5 years. Kutak Rock's Denver office has 31 public finance lawyers—the largest number in any Kutak Rock office and the largest group of public finance lawyers of any firm with a Colorado office. Kutak Rock has been the *number one bond counsel in Colorado in each of the years 2002 through 2015 based on number of issues and number one based on principal amount in eight of those 14 years (we were second in the other six years)*.

5. As requested, we have attached a completed copy of the Disclosure Statement to our submission.

6. For the prospective engagement with the Town, Kutak Rock proposes the fee of \$35,000, plus reasonable expenses as addressed prior to actual engagement, for its services as bond counsel and disclosure counsel. While this fee reflects our honest assessment of the work involved, we welcome the opportunity to discuss this fee or any other aspect of our proposal with you

We are pleased to have this opportunity to respond to your solicitation and would welcome the opportunity to explore further with you in person the specifics of our proposal. If you should have any questions about the proposal or about the firm's qualifications, please call me at 303-297-2400 or e-mail me at mario.trimble@kutakrock.com.

Very truly yours,



Mario T. Trimble

DISCLOSURE STATEMENT

As a condition for consideration, Bond Counsel must disclose any conflict of interest with the Town of Hayden, including, but not limited to, any relationship with any Town of Hayden elected official or employee. Your response must disclose if a known relationship exists between any principal of your firm and any Town of Hayden elected official or employee. If, to your knowledge, no relationship exists, this should also be stated in your response. Failure to disclose a conflict may result in disqualification. This form must be completed and returned in order for your proposal to be eligible for consideration.

NO KNOWN RELATIONSHIP EXISTS (check if appropriate)

RELATIONSHIP EXISTS (Please explain the relationship)

I CERTIFY THAT:

1. I, as an officer of this organization, or per the attached letter of authorization, am duly authorized to certify the information provided herein is accurate and true as of the date; and
2. My organization shall comply with all State and Federal Equal Opportunity and Non-Discrimination requirements and conditions of employment.

Mario Trimble
Print Name

Partner
Title

Mario Trimble
Signature



Town Council Agenda Item

MEETING DATE: September 1, 2016

AGENDA ITEM TITLE: Resolution 2016-28 for Hayden Street Repair and Roadway Improvement Bond Question to be referred to the Town of Hayden Voters

AGENDA SECTION: New Business

PRESENTED BY: Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULED: Not recommended

BACKGROUND REVIEW:

The Town of Hayden's roadways are in need of significant roadway improvements. These roadways include: 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. In order to obtain funding needed for this improvement project the issue is being referred to the Town of Hayden voters for determination in the November General Election.

The Town of Hayden employed the services of JVA engineering to complete studies and estimates on the following roadways:

Locations

- 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

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
 - Approximately \$400,000 will offset the costs of bonding, bond council, underwriting, engineering, and ratings.
- 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

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 / road base replacing the asphalt in several of 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.

The attached Resolution is to request that the voters of the Town of Hayden approve the sale of Municipal Bonds to pay for the cost of the Town of Hayden Roadway Repair and Improvement Project. The project should not to exceed \$4,000,000.00.

MANAGER'S RECOMMENDATION/COMMENTS: I would recommend that the Town of Hayden's Council approve Resolution 2016-28 referring the question of whether to obtain and sell Municipal Bonds for the purpose of the Hayden Street Repair and Roadway Improvement Project.



Town of Hayden

Town Council Agenda Item

MEETING DATE: September 1, 2016

AGENDA ITEM TITLE: Routt County Marijuana Cultivation Excise Tax - Update

AGENDA SECTION: New Business

PRESENTED BY: Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULED: Not recommended

BACKGROUND REVIEW: In the beginning of August, 2016, staff and then Council became aware of Routt County Board of County Commissioners discussions about proposing a referral to the Voters of Routt County to enact an Excise Tax on the Wholesale Cultivation of Marijuana, if Routt County adopted codes that allowed for Wholesale Cultivation.

At this time Routt County prohibits the Wholesale Cultivation of marijuana in unincorporated Routt County. They are currently reviewing the land use codes for this process.

The Town Council gave staff direction on Aug 8th, 2016 to present a letter outlining the concerns of the Town of Hayden if the County adopted an excise tax and the potential impact it could have on The Town of Hayden's economic and business development of this industry. The letter was drafted and then presented to the Routt County Board of County Commissioners at their August 23rd meeting. It outlined the current Town Excise tax, as adopted by the Voters of Hayden, at 7.5 percent as allowed as a home ruled town. As Routt County is statutory they are limited by state statute to a 5 percent excise tax.

Routt County Board of County Commissioners did accept the Towns letter (attached) and also advised that they are not sure that wholesale cultivation would be approved or adopted, but if it did pass in the next year or two it was advantageous to have the excise



tax (Tabor issue) as part of this election and on the books. The County Commissioners unanimously adopted the Resolution referring the question of enacting a Wholesale Cultivation Excise Tax on wholesale cultivation of Marijuana for portions of **unincorporated** Routt County to the voters of Routt County.

MANAGER'S RECOMMENDATION/COMMENTS: This is an update item only – It is staff's recommendation that the Town Council pursue the political process of continuing to educate and share with the Board of County Commissioners, the concerns and potential impacts that wholesale cultivation in unincorporated Routt County could have on the economics and business development for the Town of Hayden.



August 23, 2016

The Routt County Board of County Commissioners

P.O. Box 773598

Steamboat Springs, CO 80477

re: Proposed adoption of Marijuana Excise Tax and Wholesale Facilities

Dear Chairwoman Hermacinski, Commissioner Monger, and Commissioner Corrigan,

The Town of Hayden Town Council would like to share our concerns on the upcoming issue of both an excise tax and the potential wholesale grow operations as it applies to licensed and legal marijuana grow operations in both Incorporated and Unincorporated Routt County.

As the Board of County Commissioners is aware both the Towns of Oak Creek and Hayden recently went through the processes of vetting, adopting and voting on the issue of allowing some form of legalized Marijuana cultivation or retail within their respective municipalities.

For the Town of Hayden this process involved not only the Hayden Planning Commission and the Hayden Town Council, but several public hearings, debate and finally a vote of the citizens of Hayden. While the discussions leading up to the adoption of this ordinance were filled with different opinions, the voters in Hayden approved this direction by a vote of 53% to 47% (approx.). At the same time, the voters approved an excise tax of between 7.5% to 15 %, on all legal wholesale marijuana cultivation within the Town of Hayden town limits. This variable scale was designed to allow the excise tax to be adjusted, if needed, to cover the costs incurred by the Town of Hayden and fund various needed projects within the Town. These numbers were an average of taxes, at that time, that were applied on wholesale cultivation of marijuana statewide.

This process of approval to allow wholesale cultivation and excise tax within Hayden has taken in excess of 18 months and is probably closer to 24 months in reality. As of the date of this letter, only one Conditional Use Permit has been recently approved. Two others are in process. The steps and process to obtain one of these Conditional Use Permits is difficult and time consuming. This does not address or account for the time

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and process that is needed in order to obtain the State Licenses to grow Wholesale Commercial Marijuana, which is the next step in the process after obtaining a Conditional Use Permit. To date the Town of Hayden has not seen any of the Wholesale Cultivation facilities open for business nor has the Town of Hayden collected any revenue from these operations.

If the Routt County Board of County Commissioners proceeds forward with both the excise tax and permitting of wholesale marijuana grow facilities in unincorporated Routt County, we feel this could have a devastating impact on Hayden's business opportunity. By State Statute Routt County is limited to a maximum 5% excise tax on wholesale marijuana cultivation, whereas the Town of Hayden is a Homerule town and the voters of Hayden set the excise tax at 7.5%. This disparity in excise taxes would have a crippling impact on the town's ability to attract and work with potential businesses that wish to establish their business in the Town of Hayden. A difference of 2.5% in taxes can also have a large impact on a business's bottom line and in their decision of where to locate. The same holds true for allowing and licensing wholesale grow operations within unincorporated Routt County.

The Town of Hayden Town Council would respectfully urge and request that the Routt County Board of County Commissioners consider the impact of these resolutions on the Town of Hayden and its citizens. We would urge the Board of County Commissioner to reject both of these resolutions in the interests of assisting the smaller communities within Routt County to establish businesses within their jurisdictions that will support these smaller communities in meeting their needs.

Thank you for your collective consideration in this matter.

Respectfully,

A handwritten signature in blue ink, appearing to read "James M. Haskins".

Mayor James M. Haskins

cc:Town of Hayden Town Council

County Manager Tom Sullivan

Town Manager Greg Tuliszewski

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STATE OF COLORADO)
) ss.
COUNTY OF ROUTT)

RESOLUTION NO. 2016-____

A RESOLUTION REFERRING TO THE REGISTERED ELECTORS OF ROUTT COUNTY, COLORADO, A BALLOT QUESTION REGARDING WHETHER THE COUNTY MAY IMPOSE AN EXCISE TAX ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY LOCATED IN UNINCORPORATED ROUTT COUNTY.

WHEREAS, Article X, Section 20 of the Colorado Constitution requires any proposed increase in taxes to be approved by the voters; and

WHEREAS, Article XVIII, Section 16 of the Colorado Constitution and the Colorado Retail Marijuana Code, C.R.S. 12-43.4-101, et seq. authorize the licensing and regulation of retail marijuana businesses and affords local government the option to determine whether or not to allow marijuana businesses within their respective jurisdictions, and to adopt licensing requirements that are supplemental to or more restrictive than the requirements set forth in state law and regulations; and

WHEREAS, the Board of County Commissioners of Routt County (the "Board") may adopt future ordinances and/or regulations allowing and establishing licensing requirements for marijuana businesses in Routt County; and

WHEREAS, C.R.S. § 29-2-114 (1)(a) provides that "In addition to any sales tax imposed pursuant to section 29-2-103 and articles 26 and 28.8 of title 39, C.R.S., and in addition to the excise tax imposed pursuant to article 28.8 of title 39, C.R.S., each county in the state is authorized to levy, collect, and enforce a county excise tax on the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility authorized by the county"; and

WHEREAS, C.R.S. § 29-2-114 (1)(b) provides that "No excise tax shall be levied pursuant to the provisions of paragraph (a) of this subsection (1) until the proposal has been referred to and approved by the eligible electors of the county"; and

WHEREAS, the Board of County Commissioners finds that the eligible voters of Routt County should be given the opportunity to determine whether Routt County should levy, collect and enforce an excise tax pursuant to C.R.S. § 29-2-114 at the next scheduled general election with the revenues collected from such tax to be used for public health and safety, county facilities, and public transportation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ROUTT COUNTY, THAT:

Section 1. Ballot Question. The following ballot question shall be submitted to a vote of the registered electorate of Routt County at a general election to be held on November 8, 2016:

SHALL ROUTT COUNTY INCREASE TAXES BY \$500,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED THEREAFTER AS AUTHORIZED BY COLORADO REVISED STATUTES 29-2-114 THROUGH THE IMPOSITION OF AN EXCISE TAX OF 5% OF THE AVERAGE MARKET RATE, AS DETERMINED BY THE COLORADO DEPARTMENT OF REVENUE, ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY LOCATED WITHIN UNINCORPORATED ROUTT COUNTY, WITH SUCH REVENUES TO BE USED AS DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS OF ROUTT COUNTY TO FUND PUBLIC HEALTH AND SAFETY, COUNTY FACILITIES AND PUBLIC TRANSPORTATION; AND SHALL SUCH EARNINGS THEREON BE COLLECTED, RETAINED, AND EXPENDED AS A VOTER-APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR ANY OTHER LAW?

Section 2. Said ballot question shall be voted on only by Routt County, Colorado registered electors legally eligible to vote at the November 8, 2016 general election.

Section 3. Should the Routt County Clerk and Recorder, acting in her statutory capacity as the election official for the Routt County, Colorado November 8, 2016 general election, find and certify in accordance with the applicable provisions of the Colorado Uniform Election Code of 1992, as amended, that the majority of the Routt County registered electors voting on the ballot question set forth hereinabove have voted YES, the Clerk shall declare the ballot question to be passed and adopted, however, should the Clerk find and certify that the majority of the Routt County registered electors voting on the ballot question set forth hereinabove have voted NO, the Clerk shall declare the ballot question not to be passed and not be adopted.

Section 4. Upon the Routt County Board of County Commissioners certifying the ballot question and title to the Routt County Clerk and Recorder in substantially the form set forth hereinabove, all acts required or permitted by the Uniform Election Code of 1992, as amended, relevant to providing of notice, the mailing to electors of any required information, or pertaining to the conduct of the election in such ballot question at the November 8, 2016 general election, including, but not limited to, voting by early voter's ballots, absentee ballots, and emergency absentee ballots, which are to be performed by the designated election official, shall be performed by the Routt County Clerk and Recorder.

Section 5. The pertinent officers and employees of Routt County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 6. The revenues derived from the Retail Marijuana Cultivation Excise Tax shall be used to fund public health and safety, county facilities and public transportation.

Section 7. Effective Date. This Resolution shall be effective immediately upon approval by the Board.

Section 8. Severability. If any part or provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provisions or application, it being the intent of the Board of County Commissioners that the provisions of this Resolution are severable.

PASSED AND ADOPTED at a regular meeting of the Board of County Commissioners of Routt County, Colorado, this ____ day of _____, 2016.

ATTEST: **BY THE BOARD OF COUNTY COMMISSIONERS**

Kim Bonner, County Clerk

Cari Hermacinski, Chair

RESOLUTION VOTE:	Douglas B. Monger:	Yes	No	Abstain	Absent
	Cari Hermacinski:	Yes	No	Abstain	Absent
	Timothy V. Corrigan:	Yes	No	Abstain	Absent



August 23, 2016

The Routt County Board of County Commissioners

P.O. Box 773598

Steamboat Springs, CO 80477

re: Proposed adoption of Marijuana Excise Tax and Wholesale Facilities

Dear Chairwoman Hermacinski, Commissioner Monger, and Commissioner Corrigan,

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Thank you for your collective consideration in this matter.

Respectfully,

A handwritten signature in blue ink, appearing to read "James M. Haskins".

Mayor James M. Haskins

cc:Town of Hayden Town Council

County Manager Tom Sullivan

Town Manager Greg Tuliszewski

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RESOLUTION NO. 2016-28

A RESOLUTION OF THE TOWN OF HAYDEN SETTING THE BALLOT TITLE AND BALLOT ISSUE TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR STREET IMPROVEMENT PURPOSES; DIRECTING THAT THE BALLOT ISSUE BE SUBMITTED AT AN ELECTION TO BE HELD NOVEMBER 8, 2016; AND SETTING FORTH DETAILS RELATED TO THE BALLOT ISSUE AND ELECTION.

RECITALS

1. The Town of Hayden, Colorado (the "Town"), is a municipal corporation duly organized and operating as a home rule Town under the Town of Hayden Home Rule Charter (the "Town Charter") and the Constitution and laws of the State of Colorado; and
2. The Town presently imposes an excise tax at the rate of 7.5% in fiscal year 2016 and up to 15% thereafter on the average market rate of unprocessed marijuana that is sold or transferred from a marijuana cultivation facility (the "Excise Tax"); and
3. The Town Council of the Town (the "Council") desires to provide for the construction of street improvements (including without limitation designing, engineering, paving and constructing streets and roads, street lights, storm water, drainage, pedestrian and landscaping improvements, and necessary and incidental modifications to and extensions of utilities) for the benefit of the Town and its residents; and
4. There are not sufficient funds in the treasury of the Town to construct such street improvements and the Council does not anticipate that existing sources of revenue will be sufficient to generate the moneys necessary to timely develop, construct such street improvements in the near future without the incurrence of debt through the issuance of general obligation bonds; and
5. While the Town reasonable expects to repay the costs of the bonds from the proceeds of the Excise Tax, the levy of ad valorem property taxes may be necessary in any year that such Excise Tax proceeds are not sufficient to pay the principal, interest and premium, if any, on the bonds; and
6. Article X, Section 20 of the Constitution of the State of Colorado requires that the Town have voter approval in advance for the creation of any multiple-fiscal year direct or indirect debt or other financial obligation whatsoever; and
7. The Council desires to submit a ballot issue to the eligible electors of the Town on November 8, 2016, for the purposes referenced above.

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

Section 1. Calling and Conduct of the Election. An election shall be held on Tuesday, November 8, 2016, at which there shall be submitted to the eligible electors of the Town the ballot issue set forth in this Resolution. The officers and employees of the Town are hereby

authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution and the holding of a polling place election on November 8, 2016.

Section 3. Ballot Issue. A ballot issue authorizing the issuance of general obligation bonds shall be submitted to the eligible electors of the Town, which ballot issue shall be in substantially the following form:

SHALL THE TOWN OF HAYDEN DEBT BE INCREASED \$4,000,000, WITH A MAXIMUM REPAYMENT COST OF UP TO \$5,200,000 TO BE REPAYED FROM AVAILABLE MONEYS IN THE TOWN'S GENERAL FUND AND, TO THE EXTENT THE AVAILABLE MONEYS IN THE TOWN'S GENERAL FUND ARE NOT SUFFICIENT FOR SUCH REPAYMENT, SHALL THE TOWN'S AD VALOREM PROPERTY TAXES BE INCREASED BY UP TO \$350,000 ANNUALLY FOR SUCH REPAYMENT, ALL FOR THE PURPOSE OF CONSTRUCTING STREET IMPROVEMENTS (INCLUDING WITHOUT LIMITATION DESIGNING, ENGINEERING, PAVING AND CONSTRUCTING STREETS AND ROADS, STREET LIGHTS, STORM WATER, DRAINAGE, PEDESTRIAN AND LANDSCAPING IMPROVEMENTS, AND NECESSARY AND INCIDENTAL MODIFICATIONS TO AND EXTENSIONS OF UTILITIES) BY THE ISSUANCE AND PAYMENT OF GENERAL OBLIGATION BONDS, WHICH BONDS SHALL BE DATED AND SOLD AT SUCH TIME, AND AT SUCH PRICES (AT, ABOVE OR BELOW PAR) AND CONTAINING SUCH TERMS, NOT INCONSISTENT HERewith, AS THE TOWN COUNCIL MAY DETERMINE; SHALL AD VALOREM PROPERTY TAXES BE LEVIED WITHOUT LIMIT AS TO THE MILL RATE TO GENERATE AN AMOUNT SUFFICIENT IN EACH YEAR TO PAY THE PRINCIPAL OF, PREMIUM IF ANY, AND INTEREST ON SUCH DEBT; AND SHALL SUCH TAX REVENUES AND THE EARNINGS ON THE INVESTMENT OF THE PROCEEDS OF SUCH BONDS (REGARDLESS OF AMOUNT) CONSTITUTE A VOTER-APPROVED REVENUE CHANGE?

Section 4. Effective Date. This Resolution shall be in full force and effect upon its passage and adoption.

PASSED APPROVED AND RESOLVED THIS 1ST day of SEPTEMBER, 2016.

TOWN OF HAYDEN, COLORADO

By _____
Mayor

ATTEST:

By _____
Town Clerk

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RICHMOND
ROGERS
SCOTTSDALE
SPOKANE
WASHINGTON, D.C.
WICHITA

MARIO T. TRIMBLE
mario.trimble@kutakrock.com
(303) 297-2400

August 1, 2016

Greg Tuliszewski
Chief of Police /Acting Town Manager
Town of Hayden, Colorado
P.O. Box 190
178 West Jefferson Avenue
Hayden, CO 81639-0190

Re: Proposed issuance of General Obligation Bonds

Dear Chief Tuliszewski:

We are pleased to submit this letter reflecting the engagement of Kutak Rock LLP (the "Firm" or "Kutak Rock") as Bond Counsel to the Town of Hayden, Colorado (the "Town") in connection with the proposed issuance of its General Obligation Bonds in the approximate principal amount of \$4 million (the "Bonds"), subject to an approving election to be held on November 8, 2016. It is our understanding that Ehlers & Associates, Inc. has been selected to serve as the financial advisor to the Town in connection with for the Bonds.

Legal Services Provided

Transactional Documents. As Bond Counsel, the Firm will provide all necessary and customary legal services traditionally performed by Bond Counsel, including:

1. Providing the Town with assistance and legal advice regarding the submission of ballot issue authorizing the Bonds, including the drafting of a ballot issue resolution, an appropriate TABOR Notice and required internet posting;
2. Providing the Town with expert assistance and legal advice on all legal and tax matters relating to the issuance of the Bonds;
3. Preparing all necessary documents for authorizing, securing the payment of and issuing the Bonds, including but not limited to the bond ordinance, tax opinions, the bond purchase agreement, and closing documents, including all necessary filings with the Internal Revenue Service;

Town of Hayden, Colorado
August 1, 2016
Page 2

4. Upon satisfaction of all conditions precedent, delivering legal opinions (the “Bond Counsel Opinions”) as to each of the following matters: the right and power of the Town to issue bonds, that the bonds are valid and binding obligations, that the sources for the repayment of the bonds have been properly secured and that the interest on the Bonds is exempt from federal and Colorado income taxation;
5. Consulting with Town officials and other consultants and advisors regarding the structure of the Bond issuance, timing for closing and other matters relating to the issuance of the Bonds;
6. Participate in conference calls and, if necessary meetings, with the express understanding that if such meetings cannot be conducted telephonically and the Firm is required to be physically present at the meeting(s), such meeting(s) may be considered an additional service and the Firm’s costs of attending may be billed in addition to the fees specified herein; and
7. Preparing a transcript of all documentation relating to the Bonds for the Town’s records.

Our Bond Counsel Opinions will be executed and delivered in written form on the date the Bonds are delivered (the “Closing”), and will be based upon facts and law existing as of its date. As is customary, in rendering the Bond Counsel Opinions, we will rely upon the certified proceedings, and other certifications of public officials and other persons, as appropriate.

Official Statement. In connection with this engagement Kutak Rock will render legal advice to the Town in the preparation of an official statement to be used in the offer and sale of the Bonds (the “Official Statement”). In connection with this service, the Firm will represent to the Town that, while we are not passing upon, and do not assume responsibility for, the accuracy, completeness or fairness of the statements contained in the Official Statement, nothing has come to the attention of the attorneys in our firm who have worked on this engagement which leads us to believe that the final Official Statement (other than the financial, statistical or engineering data and information contained therein, any expressions of opinion or projections contained therein, and information provided for inclusion by any bond insurer or other providers of credit enhancement as to which we express no view or belief) as of its date contained, or as of the date hereof contains, any untrue statement of a material fact or as of its date omitted, or as of the date hereof omits, to state any material fact necessary in order to make the statements made therein, in light of the circumstances under which they were made, not misleading.

Limitation of Duties. Our duties in this engagement are limited to those expressly set forth above. Among other things, our duties do not include preparing blue sky or investment surveys with respect to the Bonds or making an investigation or expressing any view as to the creditworthiness of the Town or the Bonds.

Town of Hayden, Colorado
August 1, 2016
Page 3

Firm Experience and Responsible Attorney.

Kutak Rock has served as counsel for more than 3,400 financings for Colorado governments aggregating in excess of \$91 billion in principal amount, including more than 2,500 issues totaling more than \$65 billion in principal amount in which the firm served as Bond Counsel and more than 1,500 issues totaling more than \$29.9 billion in principal amount in which the firm served as disclosure or underwriter's counsel or in equivalent roles. (The firm served in multiple roles in a number of these transactions.) Kutak Rock has been ranked by data accumulated by Thompson Reuters as the number one Bond Counsel in Colorado in each of the last fourteen years (since 2002) based on number of issues and, in four of the past five years, as the number one Bond Counsel based on principal amount. In 2015, Kutak Rock served as Bond Counsel for 86 Colorado bond issues, more than twice as many as our nearest competitor, for a market share exceeding 47%. The firm's public finance partner who will be principally involved in this representation is Mario Trimble.

Attorney Client Relationship

Upon execution of this engagement letter, the Town will be our client and an attorney client relationship will exist between us. We assume that all other parties will retain such counsel as they deem necessary and appropriate to represent their interests in this transaction. We further assume that all other parties understand that in this transaction we represent only the Town, we are not counsel to any other party, and we are not acting as an intermediary among the parties. The Firm will perform its obligations in accordance with the standards of professional responsibility applicable to attorneys. Our services as Bond Counsel are limited to those contracted for in this letter; the Town's execution of this engagement letter will constitute an acknowledgment of those limitations. Our representation of the Town and the attorney client relationship created by this engagement letter will be concluded upon issuance of the Bonds.

Conflicts

As you are aware, our firm represents many political subdivisions, companies and individuals. It is possible that during the time that we are representing the Town, one or more of our present or future clients will have transactions with the Town. It is also possible that we may be asked to represent, in an unrelated matter, one or more of the entities involved in the issuance of the Bonds. We do not believe such representation, if it occurs, will adversely affect our ability to represent you as provided in this letter, either because such matters will be sufficiently different from the issuance of the Bonds so as to make such representations not adverse to our representation of you, or because the potential for such adversity is remote or minor and outweighed by the consideration that it is unlikely that advice given to the other client will be relevant to any aspect of the issuance of the Bonds. Execution of this letter will signify the Town's consent to our representation of others consistent with the circumstances described in this paragraph.

Town of Hayden, Colorado
August 1, 2016
Page 4

Legal Fees

Based upon: (a) our current understanding of the terms, structure, size and schedule of the financing represented by the Bonds; (b) the duties we will undertake pursuant to this engagement letter; (c) the time we anticipate devoting to the financing; and (d) the responsibilities we will assume in connection therewith, our fee will be fixed at \$35,000. Our fee for legal services will be fully contingent upon the issuance of the Bonds by the Town and payable solely from the proceeds of the Bonds. If the financing is not consummated, we understand and agree that we will not be paid for any legal services rendered to the Town pursuant to this engagement.

In addition, we will expect to be reimbursed for certain client charges made or incurred on your behalf, such as travel expenses (in the event that meetings are attended in person), filing fees, overnight and special delivery charges and expenses relating to the preparation and delivery of a final transcript. We estimate that such charges will not exceed \$500.

This engagement may be terminated by either party at any time. Our Firm will follow the requirements of the Colorado Code of Professional Responsibility and any applicable court rules before terminating our services.

The Firm will perform all of its obligations in accordance with the standards of professional responsibility applicable to attorneys.

Records

At your request, papers and property furnished by you will be returned. Our own files, including lawyer work product, pertaining to the transaction will be retained by us. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to dispose of any documents or other materials retained by us after the termination of this engagement.

If the foregoing terms are acceptable to you, please so indicate by returning the enclosed copy of this engagement letter dated and signed by an authorized officer, retaining the original for your files. We look forward to working with you.

Undertaking the Engagement

This proposal, if executed, shall serve as the engagement letter between us and shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

If the above sets forth our understanding to your satisfaction, please confirm the terms of our engagement by signing, dating and returning the enclosed copy of this letter. If the foregoing

KUTAK ROCK LLP

Town of Hayden, Colorado
August 1, 2016
Page 5

does not reflect our understanding or if you wish to discuss additional projects with us, please contact me.

This letter may be executed in two or more counterparts (and by different parties on separate counterparts), each of which shall be an original, but all of which shall constitute one and the same instrument.

Sincerely,

Mario T. Trimble

CONFIRMED AND AGREED TO:

Town of Hayden, Colorado

By: _____
Chief of Police /Acting Town Manager