



AGENDA  
HAYDEN TOWN COUNCIL MEETING  
THURSDAY, OCTOBER 6, 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 September 15, 2016

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3. CONSIDERATION OF BILLS

- A. Consideration of payment bill vouchers dated September 30, 2016

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4. PUBLIC COMMENTS

5. PROCLAMATIONS/PRESENTATIONS

6. CONSENT ITEMS

- A. Liquor License Renewal for Yampa Valley Regional Airport Way Station  
B. Liquor License Renewal for Bill's Sooper, Inc. dba Hayden Mercantile  
C. Parade/Street Closure for Trunk or Treat at Hayden Congressional Church

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7. OLD BUSINESS

8. NEW BUSINESS

- A. Public Hearing: Special Events Permit for Hayden Tiger Booster Club  
B. Decision: Special Events Permit for Hayden Tiger Booster Club  
C. Public Hearing: Resolution 2016-30 Conditional Use Permit Emerge Farms LLC  
D. Decision: Resolution 2016-30 Conditional Use Permit Emerge Farms LLC  
E. Decision: West Routt Fire District USDA Grant  
F. Decision: Routt County Fairgrounds RV Park  
G. Discussion: Land Use Code Review and Update  
H. Decision: Schedule Town Council 2017 Budget Work Session Dates  
I. Decision: Plant Investment Fees

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*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.*

9. PULLED CONSENT ITEMS

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

- Oct 15th Harvest Festival
- 2 Parks and Rec board vacancies

Public WorksStreets

- Shouldering streets
- Sweeping Streets
- Fixed Walker Ditch dam in Dry Creek
- Vehicle maintenance

Parks

- Equipment maintenance
- Installed infield sprinklers on field 1 & 2 at Dry Creek Park
- Working on putting new donated wire on the batting cage
- Mowing and weed eating
- Trimmed some trees
- Edged park at Lake Village Park
- Working on fixing cirsia recommendations
- The 120 V service is installed at Dry Creek Park pump house for the aerator

Water

- Repaired broken meters
- Started feeding clay to help weigh the floc down.
- Training Mike Colburn the new employee that started Sept 6
- Fixed and trouble shot electrical problem with the flocculator
- Monthly and quarterly maintenance on pump houses

Sewer

- Sampling and testing
- Monthly and quarterly maintenance on lift stations
- Cleaned grease out of lift stations

Police

- Police responded to a structure fire at 789 Harvest – Kitchen fire – Stove was left on and caught fire – No occupants in the house at the time
- PD officers assisted Routt County Sheriff's Office with a Domestic call involving a gun. Male party was taken into custody without incident
- Labor day Weekend was a busy weekend with Friday alone having 12 calls for service, including injury motorcycle accident in front of the Hiway Bar, 2 disturbances, a separate Domestic call up on Vista Verde, and other minor incidents.
- HPD is assisting Colorado State Patrol with their background investigation as it relates to the recent traffic death between Hayden and Craig.
- Officer Hockaday recently attended his Taser instructor certification class.

Town Clerk

- Terry McCarty stopped by and wanted me to get a concern to the Town Council for the next meeting (9/15/16) since he would be out of Town. He was concerned that his annexation costs were 3x the cost of his first annexation in 2012. He stated the planning costs are out of control; the final cost of the

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

planning is well in excess of the estimated cost given in the beginning with the Development Agreement and planning deposit. There is a \$500.00 cost he is not going to pay. It was a 5 hour research for plat verification during the Minor Subdivision (by Ross) for information that was available on the annexation maps filed. He also asked that the land codes be reviewed and revised, such as the Minor Subdivision for a single lot.

- Terry wanted to make the town aware that the RV park was not in compliance as there is an intersection within 150 feet and the code does not allow an RV park within 150 feet of an intersection. He indicated that there was to be an exit and an entrance to an RV park. He believes all applicants should comply with the land code.
- Town Clerk’s Office working on commercial EQR audit, address audit, election (to include bond issue, labor notices, ballot certification and preparing for the election).
- Town Clerk’s Office working with planning on another inquiry on a Marijuana Grow Facility. The CUPs are well in the process and the Clerk’s Office is now reviewing the Marijuana License Application to meet all the State and Local requirements. The Emerge Farms is the closest to presentation to Town Council for license submission.
- Starting work on record digitalization and record retention.
- Inventoried all maps and organizing for easier access.
- Sharon at attending Master Academy for Town Clerk on Friday and Saturday to include additional Marijuana Licensing information.

Administration

- Cirsa Survey with Site visit went well and came back with minimal problems to be corrected
- Emails – With recent attention in the media about the City of Steamboats City Council’s email Staff thought it would be advisable to discuss with the Board emails and that they could be subject to CORA
- County Planning on Marijuana – Planning Oct 6th 1800 hours / BCC Oct 25th 1330
- RG Planners – Town Portion \$32,601.06

Staff reports will continue at the end of the meeting.

Mayor Haskins called the regular meeting of the Hayden Town Council to order at 7:30 p.m. Councilmembers Johnson, Redmond, Hayden, Redmond, Forrest and Hagins present. Also present were Interim Town Manager and Police Chief, Greg Tuliszewski, Deputy Town Clerk, Andrea Salazar and Town Planner, Ross Culbertson.

Opening Prayer                      Mayor Haskins offered the opening prayer.

Pledge of Allegiance                Mayor Haskins led the Pledge of Allegiance.

Minutes –                                Councilmember Hagins moved to approve the minutes of the Regular Town  
September 1, 2016                      Council Meeting held on September 1, 2016. Councilmember Redmond  
seconded. Roll call vote. Councilmember Redmond – aye. Councilmember  
Johnson – abstain. Councilmember Hagins – aye. Councilmember Hayden – aye.  
Councilmember Forrest – aye. Mayor Haskins – aye. Motion carried.

Consideration of Bill                Councilmember Hayden moved to approve the bill payment voucher dated  
Payment Voucher dated              September 7, 2016 in the amount of \$46,353.52. Councilmember Redmond  
September 7, 2016                      seconded. Roll call vote. Councilmember Johnson – aye. Councilmember Hayden  
– aye. Councilmember Redmond – aye. Councilmember Forrest – aye.

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Councilmember Hagins – aye. Mayor Haskins – aye. Motion carried.

Public Comments Deo Hobbs at 6055 Homesteader Lane expressed her concern about future affordable housing, mobile homes and replacement of those homes.

Proclamations/  
Presentations A. Legislative update by Representative Diane Mitsch Bush.  
B. Planning update by Ross Culbertson, RG & Associates.

Consent Items: Councilmember Hagins moved to approve 3 Wire Bar and Grill Liquor License  
3 Wire Bar and Grill Liquor Renewal and Parade/Street Closure for Hayden Secondary School  
License Renewal Homecoming Parade. Councilmember Johnson seconded. Roll call vote.  
Parade/Street Closure for Councilmember Hayden – aye. Councilmember Hagins – aye. Councilmember  
Hayden Secondary School Redmond – aye. Councilmember Forrest – aye. Councilmember Johnson – aye.  
Homecoming Parade Mayor Haskins – aye. Motion carried.

#### Old Business

Decision: Approve Councilmember Johnson moved to Approve Hayden Heritage Center and  
Hayden Heritage Center Museum Board of Directors. Councilmember Redmond seconded. Roll call vote.  
and Museum Board of Councilmember Johnson – aye. Councilmember Hayden – aye. Councilmember  
Directors Redmond – aye. Councilmember Forrest – aye. Councilmember Hagins – aye.  
Mayor Haskins – aye. Motion carried.

#### New Business

Public Hearing: Resolution Public Hearing was opened at 8:45 p.m.  
2016-29 A Resolution of Public Hearing was closed at 8:46 p.m.  
the Town of Hayden,  
Colorado approving A  
Conditional Use Permit for  
Lot 3& 4 Valley View (F&P  
Warehouse LLC D/B/A  
Hayden Green Grow, LLC)

Decision: Resolution Councilmember Johnson moved to Approve Decision: Resolution 2016-29 A  
2016-29 A Resolution of Resolution of the Town of Hayden, Colorado approving A Conditional Use Permit  
the Town of Hayden, for Lot 3& 4 Valley View (F&P Warehouse LLC D/B/A Hayden Green Grow, LLC).  
Colorado approving A Councilmember Hagins seconded. Roll call vote. Mayor Haskins – aye.  
Conditional Use Permit for Councilmember Hagins – aye. Councilmember Forrest – aye. Councilmember  
Lot 3& 4 Valley View (F&P Redmond – aye. Councilmember Hayden – aye. Councilmember Johnson – aye.  
Warehouse LLC D/B/A Motion carried.  
Hayden Green Grow, LLC)

Pulled Consent Items None.

Staff and Councilmember Reports Continued      None.

Executive Session      Executive Session was opened at 9:03 p.m.  
Executive Session was closed at 9:35 p.m.  
A.      For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.  
B.      For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e).

Adjournment      Mayor Haskins adjourned the meeting at 9:40 p.m.

Recorded by:

\_\_\_\_\_  
Sharon Johnson, Town Clerk

APPROVED THIS 6<sup>th</sup> DAY OF October, 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
12134	A-1 Collection Agency, LLC	OCT2016	Garnishment	10/01/2016	23.09	.00		
Total 12134:					23.09	.00		
2440	Atmos Energy	0332SEP16	Water Plant gs 3013140332	09/14/2016	50.72	.00		
2440	Atmos Energy	1967SEP16	Shop gas 3016201967	09/14/2016	44.88	.00		
2440	Atmos Energy	2144SEP16	Sewer plant gas 3016202144	09/14/2016	41.94	.00		
2440	Atmos Energy	2411SEP16	Parks gas 3016202411	09/14/2016	29.28	.00		
2440	Atmos Energy	2626SEP16	Rec gas 20% - 3016202626	09/19/2016	5.85	.00		
2440	Atmos Energy	2626SEP2016	Town hall gas 80% 3016202626	09/19/2016	23.43	.00		
2440	Atmos Energy	2886SEP16	Crandall House gas 3016202886	09/15/2016	39.43	.00		
2440	Atmos Energy	3116SEP16	Airport Lift gas 3016203116	09/15/2016	28.99	.00		
2440	Atmos Energy	3349SEP16	Dry Creek Lift Station gas 301620	09/14/2016	18.74	.00		
2440	Atmos Energy	3590SEP16	Parks gas 3016203590	09/14/2016	33.94	.00		
2440	Atmos Energy	5208SEP16	Golden Meadows gas 301250520	09/14/2016	18.57	.00		
2440	Atmos Energy	7426SEP16	PD gas 3017767426	09/14/2016	48.28	.00		
Total 2440:					384.05	.00		
12319	Baca, Jo Ellen	784.10	Utility deposit refund	09/26/2016	26.61	.00		
Total 12319:					26.61	.00		
6970	Bear River Excavating	765	Haul road base	09/05/2016	2,516.00	.00		
Total 6970:					2,516.00	.00		
12274	Bell, Kalli Deatherage	AUGMILEAGE	Reimburse for mileage - August	09/08/2016	10.26	.00		
Total 12274:					10.26	.00		
12157	Boston, Sandra	CCRN TRNG	CCRN Training Reimbursement	09/26/2016	260.34	.00		
Total 12157:					260.34	.00		
1410	CASH	9.23.16	Harvest Festival float money	09/23/2016	500.00	.00		
Total 1410:					500.00	.00		
1435	CASI	0044363	Asphalt	09/19/2016	1,139.00	.00		
Total 1435:					1,139.00	.00		
1650	CEBT	0015167	Sewer Benefits	09/21/2016	477.09	.00		
1650	CEBT	0015167	Streets Benefits	09/21/2016	2,495.63	.00		
1650	CEBT	0015167	Water Benefits	09/21/2016	1,176.29	.00		
1650	CEBT	0015167	Parks Benefits	09/21/2016	1,302.54	.00		
1650	CEBT	0015167	Sewer Admin Benefits	09/21/2016	1,029.45	.00		
1650	CEBT	0015167	Water Admin Benefit	09/21/2016	1,029.45	.00		
1650	CEBT	0015167	Admin Benefits	09/21/2016	2,741.30	.00		
1650	CEBT	0015167	PD Benefits	09/21/2016	6,476.40	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 1650:					16,728.15	.00		
5440	Central Electric LLC	45916	PD - Lighting repair	09/14/2016	141.20	.00		
Total 5440:					141.20	.00		
3770	CenturyLink	2535SEP16	PD Phones_2535	09/04/2016	355.51	.00		
3770	CenturyLink	3308SEP16	PD Phones 77563308	09/03/2016	2.70	.00		
Total 3770:					358.21	.00		
1645	Charter Communications	1237SEP16	PD Charter Internet_1237	09/07/2016	84.90	.00		
Total 1645:					84.90	.00		
10590	CIRSA	161627	Adm Insurance	10/01/2016	2,541.50	.00		
10590	CIRSA	161627	Bldg Insurance	10/01/2016	1,651.98	.00		
10590	CIRSA	161627	PD Insurance	10/01/2016	2,668.58	.00		
10590	CIRSA	161627	Streets Insurance	10/01/2016	1,143.68	.00		
10590	CIRSA	161627	Rec Insurance	10/01/2016	254.15	.00		
10590	CIRSA	161627	Parks Insurance	10/01/2016	1,270.75	.00		
10590	CIRSA	161627	Mosquito Insurance	10/01/2016	127.08	.00		
10590	CIRSA	161627	Water Insurance	10/01/2016	2,414.43	.00		
10590	CIRSA	161627	Sewer Insurance	10/01/2016	635.35	.00		
Total 10590:					12,707.50	.00		
12074	CliftonLarsonAllen LLP	1345735	Accounting services - August	09/15/2016	2,375.00	.00		
12074	CliftonLarsonAllen LLP	1345735	Accounting services - August	09/15/2016	1,187.50	.00		
12074	CliftonLarsonAllen LLP	1345735	Accounting services - August	09/15/2016	1,187.50	.00		
Total 12074:					4,750.00	.00		
1890	Cook Chevrolet Inc	67768	PD 2014 Chevy Tahoe Maint	09/27/2016	87.17	.00		
Total 1890:					87.17	.00		
11983	Costco	7132RENEWA	Membership renewal	10/01/2016	55.00	.00		
Total 11983:					55.00	.00		
5390	Crown Awards	06531659	Appreciation awards	09/08/2016	62.72	.00		
Total 5390:					62.72	.00		
2050	Dana Kepner Company Inc	1433832-00	Water Dist - Repair parts	09/15/2016	712.50	.00		
Total 2050:					712.50	.00		
2150	DPC Industries Inc	737004134-16	Chemicals	09/06/2016	652.85	.00		
2150	DPC Industries Inc	737004213-16	Chemical feed equip repair	08/23/2016	3,862.56	.00		
2150	DPC Industries Inc	737004250-16	Chemicals	09/06/2016	1,005.04	.00		
2150	DPC Industries Inc	DE73000915-1	Chemicals	08/31/2016	90.00	.00		
Total 2150:					5,610.45	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
12324	Duncan & Son's Upholstry	7877	PD Vehicle repair	09/12/2016	119.40	.00		
	Total 12324:				119.40	.00		
12320	Erosion Controls of Colorado	494.06	Utility deposit refund	09/16/2016	52.02	.00		
	Total 12320:				52.02	.00		
4890	FedEx	5-554-15176	Water Sample Shipping	09/22/2016	20.24	.00		
	Total 4890:				20.24	.00		
4485	Forensic Truth Group, LLC	16-0927	PD Pre-employment Screen	09/07/2016	140.00	.00		
	Total 4485:				140.00	.00		
3870	Grainger Inc	9230293541	Parks R&M	09/20/2016	24.56	.00		
	Total 3870:				24.56	.00		
2580	Hayden Merc	01-386153	Parks - supplies	08/22/2016	40.75	.00		
2580	Hayden Merc	02-407894	Shop - supplies	08/04/2016	9.38	.00		
2580	Hayden Merc	02-410230	Parks - supplies	08/09/2016	5.99	.00		
2580	Hayden Merc	02-413291	Town hall - supplies	08/15/2016	17.99	.00		
2580	Hayden Merc	02-413908	WTP - supplies	08/16/2016	9.98	.00		
2580	Hayden Merc	03-383449	Shop - supplies	08/01/2016	3.70	.00		
2580	Hayden Merc	03-383672	Shop - supplies	08/01/2016	19.35	.00		
2580	Hayden Merc	03-395214	Parks - supplies	08/24/2016	14.97	.00		
	Total 2580:				122.11	.00		
11516	Hockaday, Shawn	TASER TRNG	Education Reimbursement - TAS	09/14/2016	45.60	.00		
	Total 11516:				45.60	.00		
4535	InSite Media, Inc	2132	Social Media	09/19/2016	250.00	.00		
4535	InSite Media, Inc	2132	Website hosting	09/19/2016	100.00	.00		
	Total 4535:				350.00	.00		
2730	Jackson's Office Supply	10404668	Planning Dept - laminating	09/08/2016	4.00	.00		
	Total 2730:				4.00	.00		
7785	Johnson, Sharon	09162016	Reimbursement - CMCA Clerks In	09/16/2016	222.79	.00		
	Total 7785:				222.79	.00		
12283	Locksmith of Craig	8124	Seneca Hill - Duplicate keys	09/07/2016	12.00	.00		
	Total 12283:				12.00	.00		
2960	MJK Sales & Feed Inc	211736	Streets - Weed spray	09/07/2016	263.99	.00		
2960	MJK Sales & Feed Inc	212485	WTP R&M - parts	09/19/2016	83.58	.00		
2960	MJK Sales & Feed Inc	212777	WWTP - utility heater	09/22/2016	39.99	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 2960:					387.56	.00		
12315	Municode	09202016	Colorado retention schedule	09/20/2016	121.00	.00		
Total 12315:					121.00	.00		
8920	Murdoch's Ranch & Home Craig	147634/19	Clothing allowance	09/23/2016	189.99	.00		
8920	Murdoch's Ranch & Home Craig	401073/R	Mike's clothing allowance	09/24/2016	89.96	.00		
Total 8920:					279.95	.00		
8200	Nalco Company	64750288	Water Plant Chemicals	09/15/2016	1,159.71	.00		
Total 8200:					1,159.71	.00		
10080	Neve's Uniforms Inc	LN-340162	PD Uniform shirts	08/24/2016	127.89	.00		
10080	Neve's Uniforms Inc	LN-341540	PD jackets	09/20/2016	448.49	.00		
Total 10080:					576.38	.00		
1350	Pinnacol Assurance	18248680	Legislative Work Comp	09/20/2016	29.96	.00		
1350	Pinnacol Assurance	18248680	Court Work Comp	09/20/2016	14.98	.00		
1350	Pinnacol Assurance	18248680	Executive Work Comp	09/20/2016	14.98	.00		
1350	Pinnacol Assurance	18248680	Administration Work Comp	09/20/2016	119.84	.00		
1350	Pinnacol Assurance	18248680	Police Work Comp	09/20/2016	1,198.40	.00		
1350	Pinnacol Assurance	18248680	Streets Work Comp	09/20/2016	928.76	.00		
1350	Pinnacol Assurance	18248680	Rec Work Comp	09/20/2016	89.88	.00		
1350	Pinnacol Assurance	18248680	Parks Work Comp	09/20/2016	89.88	.00		
1350	Pinnacol Assurance	18248680	Mosquito Work Comp	09/20/2016	59.92	.00		
1350	Pinnacol Assurance	18248680	Water Work Comp	09/20/2016	239.68	.00		
1350	Pinnacol Assurance	18248680	Water Adm Work Comp	09/20/2016	29.96	.00		
1350	Pinnacol Assurance	18248680	Sewer Work Comp	09/20/2016	149.80	.00		
1350	Pinnacol Assurance	18248680	Sewer Adm Work Comp	09/20/2016	29.96	.00		
Total 1350:					2,996.00	.00		
3820	Postmaster	09202016	Annual presort fee	09/20/2016	107.50	.00		
3820	Postmaster	09202016	Annual presort fee	09/20/2016	107.50	.00		
Total 3820:					215.00	.00		
12090	Precision Sharpening & Repair	52735	Parks - misc parts	09/12/2016	111.38	.00		
Total 12090:					111.38	.00		
12325	Process Performance Managemen	P-2016-8813	ORC Coverage - August	09/22/2016	8,280.00	.00		
Total 12325:					8,280.00	.00		
4495	Psychological Dimensions, PC	09-2741	PD Pre-employment Screen	09/21/2016	200.00	.00		
Total 4495:					200.00	.00		
12321	RCD Construction	494.05	Utility deposit refund	09/13/2016	1.89	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 12321:					1.89	.00		
12322	Reyna, Cecila	1124.15	Utility deposit refund	09/16/2016	27.49	.00		
Total 12322:					27.49	.00		
12068	RG & Associates, LLC	1012377	Wagner equipment	09/12/2016	926.25	.00		
12068	RG & Associates, LLC	1012377	Bayou Breeze	09/12/2016	380.00	.00		
12068	RG & Associates, LLC	1012377	Hayden Green Grow	09/12/2016	2,327.50	.00		
12068	RG & Associates, LLC	1012377	Emerge Farms	09/12/2016	2,683.75	.00		
12068	RG & Associates, LLC	1012377	348 Lake View Variance	09/12/2016	546.25	.00		
12068	RG & Associates, LLC	1012378	General planning	09/12/2016	7,510.00	.00		
Total 12068:					14,373.75	.00		
12323	Ritchey, John	25.03	Utility deposit refund	09/22/2016	47.73	.00		
Total 12323:					47.73	.00		
5225	Roult County Sheriff's Office	09282016	John Kregar's BPV Reimburseme	09/28/2016	650.00	.00		
Total 5225:					650.00	.00		
6060	Royal Supply Co.	R304850	Streets R&M - Parts	09/21/2016	306.20	.00		
Total 6060:					306.20	.00		
10610	SAFEbuilt, Inc.	0026368-IN	Building Department Services	08/31/2016	3,180.90	.00		
Total 10610:					3,180.90	.00		
7090	Samuelson's - Craig	1054261	Parks - trencher rental	09/06/2016	154.00	.00		
7090	Samuelson's - Craig	68779	Parks - supplies	09/06/2016	14.99	.00		
7090	Samuelson's - Craig	68890	Parks maintenance	09/07/2016	19.69	.00		
7090	Samuelson's - Craig	70326	WWTP - heater	09/22/2016	29.99	.00		
Total 7090:					218.67	.00		
5540	Snyder & Counts Feed & Supply	186975	WTP - Salt	09/12/2016	257.25	.00		
Total 5540:					257.25	.00		
1655	STANDARD INSURANCE COMP	OCT2016	SWR LTD	09/16/2016	20.60	.00		
1655	STANDARD INSURANCE COMP	OCT2016	STREETS LTD	09/16/2016	45.31	.00		
1655	STANDARD INSURANCE COMP	OCT2016	WATER LTD	09/16/2016	27.46	.00		
1655	STANDARD INSURANCE COMP	OCT2016	PARKS LTD	09/16/2016	16.48	.00		
1655	STANDARD INSURANCE COMP	OCT2016	SWR ADM LTD	09/16/2016	17.16	.00		
1655	STANDARD INSURANCE COMP	OCT2016	WTR ADM LTD	09/16/2016	17.16	.00		
1655	STANDARD INSURANCE COMP	OCT2016	ADMIN LTD	09/16/2016	61.79	.00		
1655	STANDARD INSURANCE COMP	OCT2016	PD LTD	09/16/2016	151.05	.00		
Total 1655:					357.01	.00		
10930	Standard Plumbing Supply Co.	FRGZ33	Parks R&M parts	09/07/2016	85.14	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 10930:					85.14	.00		
10530	Staples Business Advantage	3315239804	PD Office Supplies	07/21/2016	31.74	.00		
Total 10530:					31.74	.00		
3530	Steamboat Pilot	10429735	First and Cleveland public hearing	06/05/2016	17.92	.00		
3530	Steamboat Pilot	10430450	Bayou breeze public hearing	06/12/2016	32.26	.00		
3530	Steamboat Pilot	10430476	April accounts payable	06/12/2016	30.21	.00		
3530	Steamboat Pilot	10430478	May accounts receivable	06/12/2016	12.80	.00		
3530	Steamboat Pilot	10431784	Ordinance 672	06/26/2016	13.82	.00		
3530	Steamboat Pilot	10431794	Ordinance 673	06/26/2016	54.32	.00		
3530	Steamboat Pilot	10435883	348 Lake View Variance	08/14/2016	34.49	.00		
3530	Steamboat Pilot	10436438	WWTF Final settlement	08/21/2016	65.18	.00		
3530	Steamboat Pilot	10437022	Hayden Green Grow Public Heari	08/28/2016	65.18	.00		
3530	Steamboat Pilot	10438493	Legals	09/18/2016	68.28	.00		
3530	Steamboat Pilot	10438599	August legals	09/18/2016	28.16	.00		
Total 3530:					422.62	.00		
12326	Thunder Run Survival	2	PD - supplies	08/13/2016	80.00	.00		
Total 12326:					80.00	.00		
6540	Tri County Fire Protection	145344	Backflow Prevention Testing	09/13/2016	58.00	.00		
Total 6540:					58.00	.00		
12328	Triple H LLC	09282016	Triple H Sub App Withdrawal	09/28/2016	207.50	.00		
Total 12328:					207.50	.00		
12029	Tuliszewski, Greg	09262016	Misc reimbursement	09/26/2016	26.93	.00		
Total 12029:					26.93	.00		
7070	USA BlueBook	055341	WWTP R&M signs	09/08/2016	166.21	.00		
Total 7070:					166.21	.00		
3880	Wagner Equipment Co	P04C0291693	Streets - R&M filters	09/03/2016	51.46	.00		
3880	Wagner Equipment Co	P04C0292037	Streets R&M parts	09/22/2016	82.62	.00		
Total 3880:					134.08	.00		
6170	Walmart Community	030335	Town council - Supplies	08/30/2016	78.81	.00		
6170	Walmart Community	031806	PD - supplies	08/31/2016	76.14	.00		
Total 6170:					154.95	.00		
6085	Xerox Corporation	086169325	ADMIN COPIER/PRINTER	09/10/2016	331.42	.00		
6085	Xerox Corporation	086169326	PD COPIER/PRINTER	09/10/2016	235.68	.00		
Total 6085:					567.10	.00		
12327	Yampa Valley Construction Servic	2086.01	Utility deposit refund	09/22/2016	37.11	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 12327:					37.11	.00		
4010	Yampa Valley Electric	0401SEP16	PD electric 660020401	09/20/2016	412.68	.00		
4010	Yampa Valley Electric	1002SEP16	Dry Ck Lift electric 720021002	09/21/2016	180.74	.00		
4010	Yampa Valley Electric	1401SEP16	Seneca Hill tank electric 6600214	09/20/2016	145.03	.00		
4010	Yampa Valley Electric	3101SEP16	Poplar St Park 730013101	09/19/2016	373.86	.00		
4010	Yampa Valley Electric	3202SEP16	Airport Lift electric 660013202	09/20/2016	186.08	.00		
4010	Yampa Valley Electric	3406SEP16	Town Hall 80% 740003406	09/21/2016	396.32	.00		
4010	Yampa Valley Electric	3406SEP16	Rec electric 20% 740003406	09/21/2016	99.08	.00		
4010	Yampa Valley Electric	3501SEP16	Poplar St Pond electric 73001350	09/19/2016	194.94	.00		
4010	Yampa Valley Electric	5501SEP16	W Jefferson park electric 7200155	09/21/2016	51.38	.00		
4010	Yampa Valley Electric	6002SEP16	Community tree electric 76001600	09/21/2016	33.79	.00		
4010	Yampa Valley Electric	6201SEP16	Shop electric 760016201	09/21/2016	211.38	.00		
4010	Yampa Valley Electric	7601SEP16	Lakeview Dr Park electric 780017	09/19/2016	33.53	.00		
4010	Yampa Valley Electric	7702SEP16	Sewer plant electric 760007702	09/21/2016	5,309.09	.00		
4010	Yampa Valley Electric	7802SEP16	Water Plant electric 660007802	09/20/2016	2,655.89	.00		
4010	Yampa Valley Electric	8001SEP16	Wash & Ash electric 700008001	09/19/2016	88.68	.00		
4010	Yampa Valley Electric	8103SEP16	City Park electric 730008103	09/19/2016	74.89	.00		
4010	Yampa Valley Electric	8803SEP16	Golden Meadows electric 780008	09/19/2016	958.60	.00		
4010	Yampa Valley Electric	8901SEP16	Hospital Hill electric 720008901	09/21/2016	31.56	.00		
4010	Yampa Valley Electric	9402SEP16	Key Pump station electric 730009	09/19/2016	42.53	.00		
4010	Yampa Valley Electric	9902SEP16	Crandall Pump House electric 720	09/21/2016	655.90	.00		
Total 4010:					12,135.95	.00		
3390	Yampa Valley Medical Center	09022016	Pre-employment Screening	09/02/2016	110.00	.00		
Total 3390:					110.00	.00		
Grand Totals:					95,235.07	.00		

## Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.



Town Council Agenda Item

MEETING DATE: October 6, 2016

AGENDA ITEM TITLE: YVRA The Way Station Liquor License Renewal

AGENDA SECTION: Consent

PRESENTED BY: Sharon Johnson

CAN THIS ITEM BE RESCHEDULED: No

BACKGROUND REVIEW: YVRA The Way Station Liquor License will expire on December 10, 2016. Approving this renewal would extend the license until December 10, 2017.

RECOMMENDATION: I would recommend that the Hayden Town Council move to approve the renewal of YVRA The Way Station Liquor License.

MANAGER RECOMMENDATION/COMMENTS: *I concur with the recommendation.*

**RETAIL LIQUOR OR 3.2 BEER  
 LICENSE RENEWAL APPLICATION**

RECEIVED SEP 13 2016

Fees Due	
Renewal Fee	\$500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b>	<b>\$ 500.00</b>

THE WAY STATION  
 P O BOX 1060  
 HAYDEN CO 81639

Make check payable to Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name ROUTT CO YAMPA VALLEY REGIONAL AIRPORT		DBA THE WAY STATION		
Liquor License # 4700371	License Type Tavern (city)	Sales Tax License # 012932340000	Expiration Date 12/10/2016	Due Date 10/26/2016
Operating Manager Jennifer Bell	Date of Birth _____. _____. 10	Home Address _____. _____. 81639		
Manager Phone Number 970-846-7291	Email Address jbell@co.routt.co.us			
Street Address 11005 RCR 51A HAYDEN CO 81639				Phone Number 9702765070
Mailing Address P O BOX 1060 HAYDEN CO 81639				

- Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease \_\_\_\_\_
- Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  YES  NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO

**AFFIRMATION & CONSENT**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business Jennifer Bell	Title General Manager
Signature Jennifer Bell	Date 9-13-2016

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.

Local Licensing Authority For Town of Hayden	Date 10-06-2016
Signature Mayor	Attest Sharon Johnson



Town Council Agenda Item

MEETING DATE: October 6, 2016

AGENDA ITEM TITLE: Bill's Sooper dba Hayden Mercantile Liquor License Renewal

AGENDA SECTION: Consent

PRESENTED BY: Sharon Johnson

CAN THIS ITEM BE RESCHEDULED: No

BACKGROUND REVIEW: Bill's Sooper dba Hayden Mercantile Liquor License will expire on November 27, 2016. Approving this renewal would extend the license until November 27, 2017.

RECOMMENDATION: I would recommend that the Hayden Town Council move to approve the renewal of the Bill's Sooper dba Hayden Mercantile Liquor License.

MANAGER RECOMMENDATION/COMMENTS: *I concur with the recommendation.*

**RETAIL LIQUOR OR 3.2 BEER  
 LICENSE RENEWAL APPLICATION**

Fees Due	
Renewal Fee	\$96.25
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b>	

HAYDEN MERCANTILE  
 PO BOX 100  
 HAYDEN CO 81639-0100

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name <b>BILLS SOOPERS INC</b>		DBA <b>HAYDEN MERCANTILE</b>		
Liquor License # <b>04893930000</b>	License Type <b>3.2% Beer Off Premises (city)</b>	Sales Tax License # <b>04893930000</b>	Expiration Date <b>11/27/2016</b>	Due Date <b>10/13/2016</b>
Operating Manager <b>B. Hayden</b>	Date of Birth	Home Address		
Manager Phone Number <b>970-276-3422</b>	Email Address <b>hyden@gmail.com</b>			
Street Address <b>111 N 6TH ST HAYDEN CO 81639</b>				Phone Number <b>3032763922</b>
Mailing Address <b>PO BOX 100 HAYDEN CO 81639-0100</b>				

- Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented \*If rented, expiration date of lease \_\_\_\_\_
- Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  YES  NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO

**AFFIRMATION & CONSENT**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business <b>Bill Hayden</b>	Title <b>C.E.O.</b>
Signature <i>[Signature]</i>	Date <b>9/15/16</b>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.

Local Licensing Authority For	Date
Signature	Title
	Attest



Town of Hayden

Town Council Agenda Item

MEETING DATE: October 6, 2016

AGENDA ITEM TITLE: Trunk or Treat Street Closure

AGENDA SECTION: Consent Items

PRESENTED BY: Sharon Johnson

CAN THIS ITEM BE RESCHEDULED: No

BACKGROUND REVIEW: Last year Hayden Congregational Church hosted the their 1<sup>st</sup> Trunk or Treat event and it was very successful. HHC expected a possible 30 children and was thrilled to have over 80 children and family attend. Hayden Congregational Church is applying for the 2<sup>nd</sup> annual Trunk or Treat Street Closure. This event is scheduled for October 31, 2016 from 5:00 p.m. to 8:00 p.m. The event will be on North Spruce Street between E. Jefferson and E. Lincoln. Traffic will be detoured via North Walnut or North Pine in both directions. Individuals bring decorated cars to distribute treats to children. The parade route was approved by Chief Tuliszewski.

RECOMMENDATIONS: **Move to approve the Consent Items.**

MANAGER RECOMMENDATION/COMMENTS: *I concur with the recommendation.*



## APPLICATION FOR PARADE/STREET CLOSURE

Date of Request	9/15/16	
Name of Event	Trunk or Treat	
Type of Event	Athletic <input type="checkbox"/>	Special <input checked="" type="checkbox"/>
Brief Description of Event	Halloween opportunity - trick or treating	

**Organization Information (please print or type):**

Name	Hayden Congregational Church
Mailing Address	P.O. Box 1284
City	Hayden
State	CO
ZIP Code	81639
Contact Person	Jane Kramer
Title	Pastor
Telephone	970-734-6667
Fax	—
E-Mail	hcc.pastor@guestoffice.net

**Description of Event (please print or type):**

Dates	Beginning Date & Time: 10/31/16 - 5pm	Ending Date & Time: 10/31 8pm
Location of Line Up	North Spruce (between E. Jefferson + E. Lincoln)	
Proposed Route (Attach map)	North Spruce	
Proposed Detour (Attach map)	N. Walnut or N. Pine	
Detailed Description of Event	Individuals bring decorated cars to this location to distribute treats to children. This is most useful to those who live out of town.	

THE UNDERSIGNED HEREBY AGREES TO PAY FOR AND PROVIDE LIABILITY INSURANCE IN AN AMOUNT TO BE DETERMINED BY THE TOWN OF HAYDEN. THE UNDERSIGNED ALSO AGREES TO PROVIDE MANPOWER TO PLACE AND REMOVE THE BARRICADES (TOWN PROVIDED) AT THE DIRECTION OF THE HAYDEN POLICE DEPARTMENT.

I, THE UNDERSIGNED, FURTHER CERTIFY THAT THE STATEMENTS CONTAINED HEREIN OR ATTACHED HERETO ARE TRUE, ACCURATE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Authorized signature	<i>Jane Kramer</i>	Date: 9/14/16
----------------------	--------------------	---------------

FOR OFFICIAL USE ONLY (DO NOT WRITE BELOW THIS LINE)

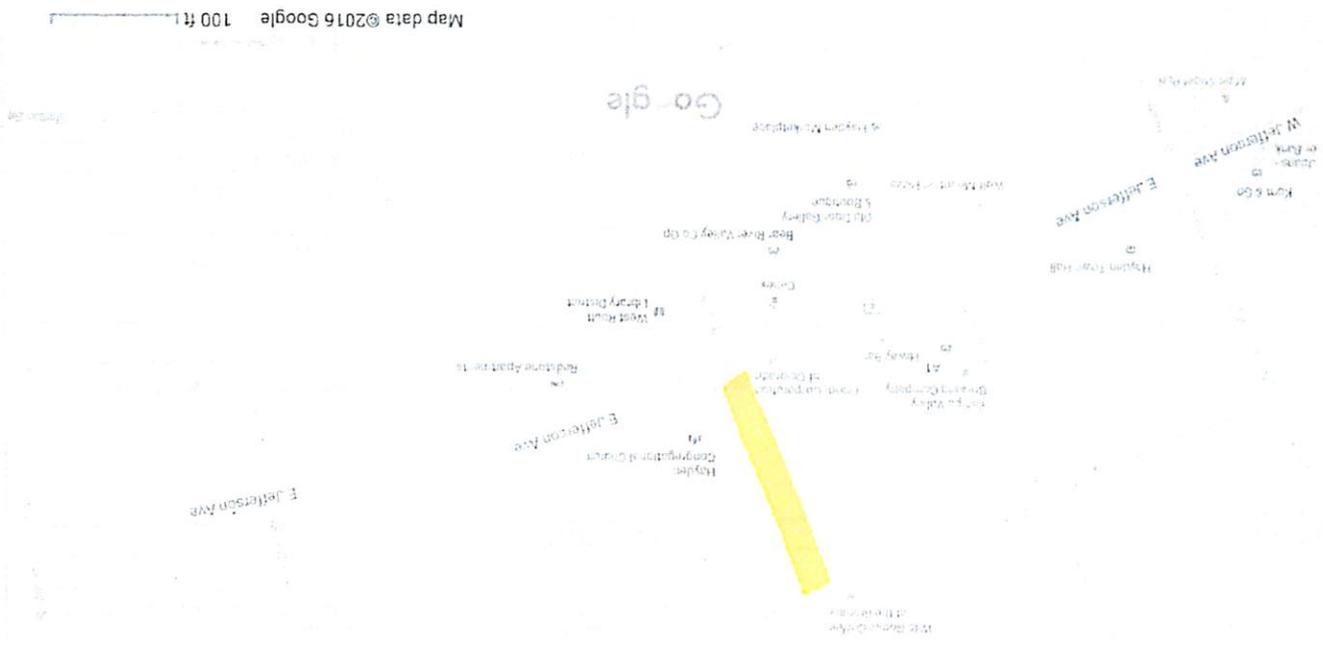
**Conditions or Restrictions:**

No objects (candy, toys, etc.) shall be thrown from parade floats.

SPONSORS AND/OR EVENT ORGANIZERS MUST FURNISH A CERTIFICATE OF INSURANCE OF A GENERAL LIABILITY INSURANCE COMPANY AND AN AUTO LIABILITY INSURANCE POLICY COVERING CLAIMS THAT MIGHT ARISE FROM THE EVENT, INCLUDING PARTICIPANT AND SPECTATOR LIABILITY. THESE POLICIES MUST HAVE A MINIMUM LIMIT OF \$ \_\_\_\_\_ PER OCCURRENCE AND MUST NAME THE TOWN OF HAYDEN AND ITS EMPLOYEES AS ADDITIONAL INSURED.

Authorized signature		Date:
Application has been:	Approved <input checked="" type="checkbox"/>	Denied <input type="checkbox"/>

Google Maps





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
09/14/2016

**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.**

**IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).**

<b>PRODUCER</b> Church Mutual Insurance Company 3000 Schuster Lane P.O. Box 357 Merrill WI 54452	<b>CONTACT NAME:</b> Wendy H Miller <b>PHONE (A/C No. Ext):</b> 1-800-554-2642 Option 1 <b>FAX (A/C No):</b> 855-264-2329 <b>E-MAIL ADDRESS:</b> CS3@churchmutual.com
<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURER A:</b> Church Mutual Insurance Company <b>NAIC #</b> 18767	
<b>INSURER B:</b>	
<b>INSURER C:</b>	
<b>INSURER D:</b>	
<b>INSURER E:</b>	
<b>INSURER F:</b>	

**INSURED** HAYDEN CONGREGATIONAL CHURCH  
 202 E JEFFERSON AVE  
 HAYDEN CO 81639

**COVERAGES**     **CERTIFICATE NUMBER:**     **REVISION NUMBER:**

**THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.**

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD   WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	0030502-21-849418	12/01/2015	12/01/2018	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000					
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE  DED     RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			PER STATUTE     OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**  
 Evidence of Liability Insurance for permit to close N Spruce St, Hayden, CO on October 31, 2016 from 4 pm - 9 pm for Halloween Trick or Treating. Commercial General Liability Additional Insured = Town of Hayden and its employees, subject to the coverage provided by the referenced policy. A225 SRAP 518

<b>CERTIFICATE HOLDER</b>  TOWN OF HAYDEN PO BOX 190  HAYDEN CO 81639-0180	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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REQUEST TO SUBMIT AGENDA ITEM  
FOR HAYDEN TOWN COUNCIL MEETING

MEETING DATE: 10/6/16

AGENDA ITEM TITLE Trunk or Treat

PRESENTED BY: Hayden Congregational Church PHONE: 970-276-3510 (Day)  
970-734-6667 (Night)

BACKGROUND REVIEW/PROPOSAL

Last Halloween, Hayden Congregational Church hosted our first Trunk or Treat event and it was very successful. These events are becoming more & more popular and are especially pleasing to those who live out of town. Individuals bring their vehicles to the church, decorate them and distribute treats to children. This allows those who live in isolated areas to still enjoy watching the children delight in this day's festivities.

Last year we expected a possible 30 people but were thrilled that over 80 children (plus their families) attended our event. We would like to close off N. Spruce to expand this opportunity to more in the community who would also like to bring their vehicles to participate.

Thank you for your consideration of this proposal.

Please attach any extra information, including maps, that you wish to have included in the Council packets





Town of Hayden

Town Council Agenda Item

MEETING DATE: October 6, 2016

AGENDA ITEM TITLE: Special Event Permit – Hayden Tiger Booster Club

AGENDA SECTION: Consent

PRESENTED BY: Sharon Johnson

CAN THIS ITEM BE RESCHEDULED: No

BACKGROUND REVIEW: The Hayden Tiger Booster Club has submitted an application to allow malt, vinous and spirituous liquor sales at the 2<sup>nd</sup> Annual Fundraiser event. The event will be open to the public and will involve one evening of liquor sales. The event is located in the Routt County Exhibit Hall on the Routt County Fairgrounds and will be held from 6:00 p.m. to 12:00 a.m.

RECOMMENDATION: If no written comments have been received by the Town Clerk prior to the October 6<sup>th</sup> Town Council meeting then move to approve the Special Events permit for the Hayden Tiger Booster Club Fundraiser Event.

MANAGER'S RECOMMENDATION/COMMENTS: *I concur with the recommendation. This will help offset some of the cost of the event.*

## APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

RECEIVED

SEP 14 2016

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT AND ONE OF THE FOLLOWING (See back for details.)

<input type="checkbox"/> SOCIAL	<input checked="" type="checkbox"/> ATHLETIC	<input type="checkbox"/> PHILANTHROPIC INSTITUTION
<input type="checkbox"/> FRATERNAL	<input type="checkbox"/> CHARTERED BRANCH, LODGE OR CHAPTER	<input type="checkbox"/> POLITICAL CANDIDATE
<input type="checkbox"/> PATRIOTIC	<input type="checkbox"/> OF A NATIONAL ORGANIZATION OR SOCIETY	<input type="checkbox"/> MUNICIPALITY OWNING ARTS FACILITIES
<input type="checkbox"/> POLITICAL	<input type="checkbox"/> RELIGIOUS INSTITUTION	

**LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:**

2110  MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY

2170  FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY

**DO NOT WRITE IN THIS SPACE**

LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE  
*Hayden Tigers Booster Club*

State Sales Tax Number (Required)  
*98006341*

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE  
 (include street, city/town and ZIP)  
*PO Box 1685  
 Hayden, CO 81639*

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT  
 (include street, city/town and ZIP)  
*365 S. Poplar Str.  
 Hayden, CO 81639*

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES /SECY OF ORG. or POLITICAL CANDIDATE			

5. EVENT MANAGER  
*Charlotte Thomas Wuesterwald*

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?  
 NO  YES HOW MANY DAYS? \_\_\_\_\_

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?  
 NO  YES TO WHOM? \_\_\_\_\_

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED?  Yes  No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

Date	Date	Date	Date	Date
Hours From To	Hours From To	Hours From To	Hours From To	Hours From To
<i>11-12-16</i>				
<i>6 P.m. To 12 A.m.</i>				

**OATH OF APPLICANT**

*I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.*

SIGNATURE <i>Amy Red</i>	TITLE <i>Treasurer</i>	DATE <i>9/1/16</i>
-----------------------------	---------------------------	-----------------------

**REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)**

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

**THEREFORE, THIS APPLICATION IS APPROVED.**

LOCAL LICENSING AUTHORITY (CITY OR COUNTY) <i>Town of Hayden</i>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY	TELEPHONE NUMBER OF CITY/COUNTY CLERK <i>970-276-3741</i>
SIGNATURE <i>[Signature]</i>	TITLE <i>Mayor</i>	DATE <i>10-6-16</i>

**DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY**

**LIABILITY INFORMATION**

License Account Number	Liability Date	State	TOTAL
/	/	/	/
		-750 (999)	\$

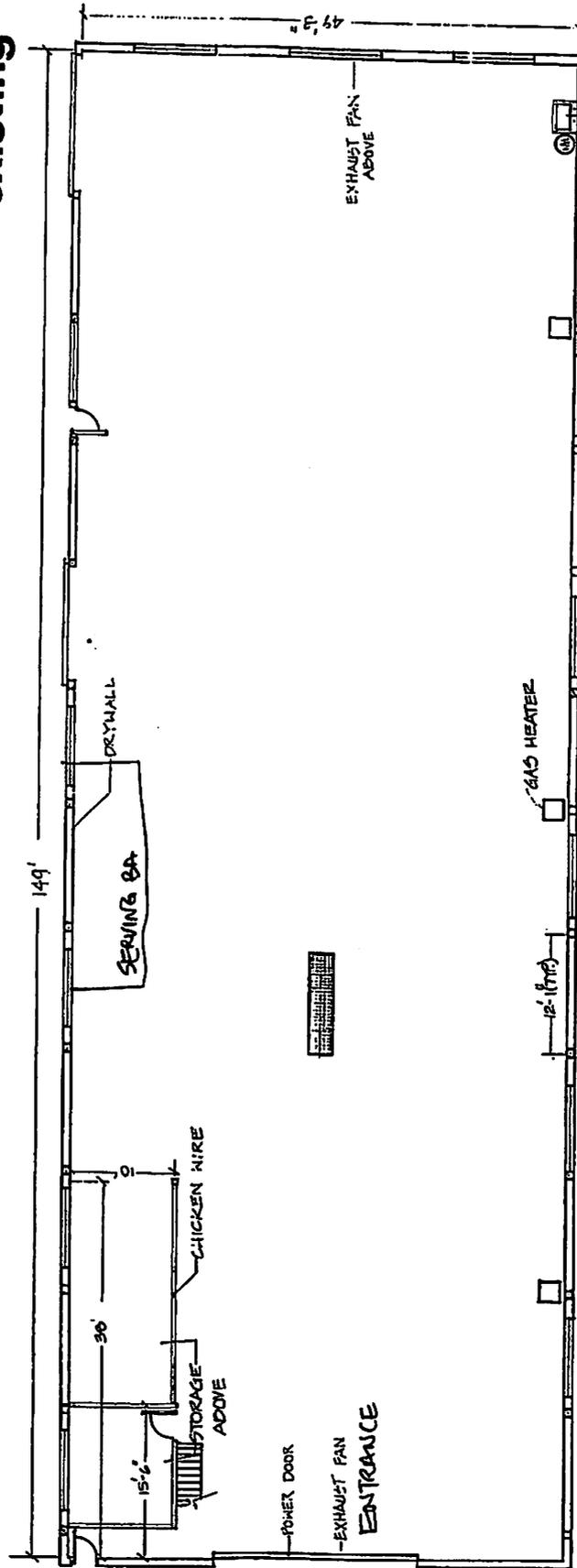
(Instructions on Reverse Side)

# ROUTT COUNTY FAIRGROUNDS COMMUNITY BUILDING



SCALE 3/32" = 1'

existing



OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE OF FACT OF GOOD STANDING**

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Hayden Tigers Booster Club

is a

Nonprofit Corporation

formed or registered on 07/21/2016 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20161485591 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 07/19/2016 that have been posted, and by documents delivered to this office electronically through 07/21/2016 @ 08:57:01 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 07/21/2016 @ 08:57:01 in accordance with applicable law. This certificate is assigned Confirmation Number 9750113 .



Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*  
*Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."*

## FAIRGROUNDS FACILITY RENTAL AGREEMENT

This Fairgrounds Facility Rental Agreement (the "Agreement"), dated as of SEPTEMBER 12, 2016 is between Routt County, Colorado ("County"), acting by and through its Fairgrounds Manager/Fair Coordinator by delegation of the Board of County Commissioners (the "Board") and HAYDEN TIGERS BOOSTER CLUB. ("Facility User").

### Recitals

- A. County is the owner of the Routt County Fairgrounds (the "Fairgrounds") located near Hayden, Colorado and the facilities located at the Fairgrounds.
- B. Facility User desires to use the following Fairground facility: EXHIBITION HALL (the "Facility") on the following date(s): NOVEMBER 12, 2016.
- C. County is willing to permit the use requested by Facility User as described above subject to the terms and conditions of this Agreement.

### Terms and Conditions

- Permitted Use:** Subject to full compliance with the other terms and conditions set forth herein, Facility User shall be permitted to use the Facility: EXHIBITION HALL on the following date: NOVEMBER 12, 2016 between the following hours: 6:00 P.M. - 10:00 P.M. for the following purpose: SCHOOL SPORTS FUNDRAISER. Facility User shall not make use of the Facility for any other use and shall not permit others under their control or with their permission to do so. Facility User shall not use other Fairground Facilities and shall use only that portion of the Fairground necessary for the permitted use.
- Portable Toilets:** The Facility User is responsible for supplying, at Facility User's sole expense, portable toilets in compliance with Appendix C, of the Minimum Plumbing Facilities of the Uniform Plumbing Code when applicable. As required, the Facility User will supply a minimum of one (1) water closet per one (1) to one-hundred (100) males and a minimum of two (2) water closets for one (1) to fifty (50) females and one portable lavatory or handwash station for each sex.
- Compensation for Use of Facility:** As compensation to County for the use of the Facility, Facility User shall pay to County the following fee: \$85 (\$40 hall rental, \$25 kitchen fee, \$20 sound system fee) (the "Use Fee"). The Use Fee shall be payable to "ROUTT COUNTY" and paid to the "Fairgrounds Manager/Fair Coordinator" not later than ten days prior to the date of the use of the Facility.

4. Cleaning of Facility and Damage to the Facility: The Facility User shall leave the Facility and the Fairgrounds in as good a condition at the end of Facility User's use as it was at the beginning of such use, normal wear and tear excepted. Facility User shall clean the Facility and Fairgrounds if they become dirty or littered during their use by Facility User. Facility User shall also be responsible for the costs of any repair to the Facility or the Fairgrounds resulting from their use by Facility User. In the event that County is required to repair damage which is the responsibility of the Facility User, County shall be entitled to recover such costs from Facility User. If Facility User has given a security deposit for the use of the Facility, County may deduct the cost of such repairs from the security deposit. The Facility User shall be required to deliver a security deposit of **\$200** to the Fairgrounds Manager/Fair Coordinator at the same time that the Use Fee is due.

5. Indemnity: Facility User shall indemnify, defend and hold County harmless from any and all claims, injuries and damages arising from the use of the Facility and the Fairgrounds by Facility User pursuant to this Agreement except from claims, injuries and damages arising from the negligence, reckless or intentional acts of County and its employees, officials and agents.

6. Insurance: Facility User shall deliver to the Fairgrounds Manager/Fair Coordinator, at least 10 days prior to the date of the use, a certificate of insurance naming County as an additional insured establishing that Facility User has the following minimum insurance coverage:

General liability insurance	\$1,000,000 per occurrence/ \$1,000,000 in the aggregate
Products-Completed operations if required based upon use	\$1,000,000
Personal and advertising if a commercial use	\$1,000,000
Property damage and fire	\$50,000
Medical expense	\$5,000

7. Alcoholic Beverages: Facility User shall not permit alcoholic beverages to be brought into or consumed on the Fairgrounds or the Facility while it is being used by the Facility User unless County has first been advised that this is intended and the Facility User has obtained the required alcoholic beverage license.

8. Security: County shall not be required to provide security for Facility User's use of the Facility as a part of this Agreement.

9. Nondiscrimination: Facility User shall not discriminate against any person on the grounds of race, creed, color, national

origin, sex, handicap or disability in connection with any activity conducted by Facility User in the Facility or on the Fairgrounds pursuant to this Agreement.

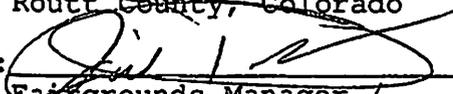
10. Attorneys Fees: In the event either party to this Agreement brings suit to enforce or interpret any portion of this Agreement, the party substantially prevailing in such action shall be entitled to recover all costs incurred in such action, including without limitation reasonable attorney's fees.

11. Venue and Choice of Laws: This Agreement shall be governed by and construed in accordance with the internal laws of the State of Colorado without reference to choice of laws rules. The parties agree that venue in any action to enforce or interpret this Agreement shall be in the District Court in the Fourteenth Judicial District for the State of Colorado.

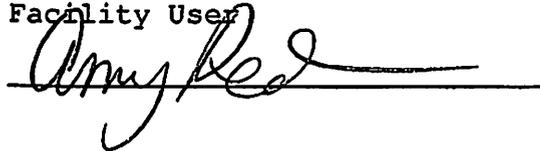
12. Entire Agreement: This Agreement shall be binding on and inure to the benefit of the parties hereto, their respective successors and assigns, and shall not be deemed to be for the benefit of or enforceable by any third party. This Agreement constitutes the entire agreement between the parties concerning the use of the Facility by the Facility User and may not be amended except by a written document executed by all parties hereto.

Routt County, Colorado

By:

  
Fairgrounds Manager /  
Fair Coordinator  
by delegation from the Board  
County Commissioners

Facility User





**Town Council Agenda Item**

**MEETING DATE:** October 6, 2016

**AGENDA ITEM TITLE:** **HOLD A PUBLIC HEARING AND CONSIDER RESOLUTION 2016-30, Approving Emerge Farms Conditional Use Permit (CUP)**

**AGENDA SECTION:** **New Business, with Public Hearing**

**PRESENTED BY:** **Greg Tuliszewski**

**CAN THIS ITEM BE RESCHEDULE:** **Not Recommended**

**BACKGROUND REVIEW:**

The applicant, Mr. Michael McCannon (c/o Emerge Farms, LLC.) submitted a request for a 9,115 square foot warehouse facility for marijuana cultivation and growing within an existing building on approximately 0.86 acres of land. The property is located on the north side of Capital Street, west of Commerce Street (within the Valley View Business Park, Lots 28 & 29). Emerge Farms will own, operate, and repurpose the existing two-story industrial office building on the property for this use. The encompassing Valley View Business Park was designed to accommodate independent industrial businesses. The existing industrial building is zoned within a Light Industrial (I-1) district which permits marijuana cultivation operations with approval of a CUP.

The proposed business will be housed within the building's first-floor office section and the vaulted two-story open warehouse area containing 7,241 square feet and a second floor office suite having 1,874 square feet. The first-floor operations will be divided to contain four flower rooms, a vegetative room for plant maturation, a trimming and mother room, a drying room, product storage and packaging areas and an internal reception/administration room. The second floor will house an employee breakroom, security/surveillance office, and manager's offices. The upstairs space will be secured from operations below. Outside the building, the property contains an existing six-foot high chain-linked fence which was previously used for outside storage and will now enclose a secured shed for grinding and composting plant waste materials. Please refer to the Site Plan, Floor Plan and Building Elevation exhibits attached to this report for further details of the building's operation and site layout.

Staff has worked with the applicant and his consultants to thoroughly review the project in accordance to all applicable codes. In determining the appropriateness of the proposed use, staff evaluated the CUP based upon the criteria listed within the Town's Marijuana Ordinance No. 666, in addition to general compliance review under the Conditional Use Review Criteria of the Hayden Land Use Code, Section

16.03.070.C. The Planning Commission Staff Report attached to this packet details staff's analysis and the applicant's compliance to all pertinent code sections.

**PUBLIC INPUT:**

As required by the Town Code, a notice was sent to property owners within 150 feet of the property, a sign was posted on the property and a public notice was placed in the newspaper at least 15 days prior to this Planning Commission public hearing date. No comments or concerns regarding the CUP request for a marijuana cultivation facility have been received by Planning Staff or the Town Clerk to date.

**RECOMMENDATION:**

Based on observations and findings as stated in the Staff Report and presented to the Hayden Planning Commission on September 8, 2016; the Commission recommends approval to the Town Council for the Emerge Farms Conditional Use Permit (CUP) as it is in compliance with the Town Land Use Code and Comprehensive Plan, yet with the following condition:

1. Approval of a future Building Permit.
2. Approval of a State of Colorado Marijuana Cultivation Facility License.
3. Approval of a Town of Hayden Marijuana Cultivation Facility License.

The Town Council may choose to take the following actions after the Public Hearing:

1. Approve as submitted (with listed conditions) and adopt Resolution 2016-30.
2. Approve subject to conditions.
3. Deny the project.
4. Postpone consideration to a date certain.

**ATTACHMENTS:**

Planning Commission Staff Report  
Application  
Site Plan  
Building Plans and Elevations  
Exterior Lighting Plan & Product Cut Sheets  
Security Floor Plan Exhibits  
CUP Narrative & Odor Control Exhibits  
Resolution 2016-30

**MANAGER'S RECOMMENDATION/COMMENTS:**

*Hayden*

# LAND USE APPLICATION FORM

Staff Use Only	
Application Number:	<u>20160101</u>
Received By:	<u>Smj</u>
Date:	<u>7-1-16</u>
Fees Paid:	<u>\$ 200 CU Fee</u>
Deposit Paid:	

*\$ 250 PreApp Fee*

1. Application is made for: (please circle one of the following)

- |                      |                           |                         |
|----------------------|---------------------------|-------------------------|
| Administrative Plat  | Annexation                | <u>Conditional Use</u>  |
| Historic Designation | Historic Renovation       | Major Subdivision 1 2 3 |
| Petition             | Planned Development       | Minor Subdivision       |
| Zoning               | Right of Way Construction | Sign Permit             |
| Site Plan            | Variance or Appeal        | Waiver                  |

Other: marijuana cultivation facility

2. Project Name: Emerge Farms LLC  
please print or type legibly

3. Contact information: (a list of additional contacts may be attached)

Owner Name: <u>(through Steve Herron)</u>	Applicant Name: <u>(through Mike McCannion)</u>
Address: <u>PO Box 1390, Hayden, CO 81639-1390</u>	Address: <u>PO Box 1420, Hayden, CO 81639-1420</u>
Telephone: <u>719.661.1141</u> Fax: <u>none</u>	Telephone: <u>720.273.7223</u> Fax: <u>none</u>
E-mail: <u>steve@steveherron.com</u>	E-mail: <u>Mike.mccannion@mtacpas.com</u>

4. Property Description:

Address or Location: 401<sup>1/2</sup> Capital Street, Hayden, CO 81639

Existing Zoning: Light Industrial (I-2) Existing Use: Vacant Warehouse

Proposed Zoning: No change (I-2) Proposed Use: marijuana cultivation facility

5. Purpose: (describe intent of this application in 1-2 sentences)

To obtain the required licenses and permits for a retail marijuana cultivation facility for wholesale distribution.

6. Certification: (must be signed in blue ink)

I certify that I am the lawful owner of the parcel(s) of land affected by this application and hereby consent to this action.

Owner: [Signature] Date: 7/1/16 AND [Signature] Date: 7/1/16  
Stevn Karl Herron, as Member/Manager of Hayden Capital LLC, a CO LLC, the Member/Manager of Morgan Creek LLC

I certify that the information and attachments I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owner(s). I understand that all materials and fees required by the Town of Hayden must be submitted prior to having this application processed.

Applicant: [Signature] Date: 6-24-16  
Michael Don McCannion, as Member/Manager of Emurge Capital Holdings, LLC, a Colorado limited liability company (CO, LLC), the Member/Manager of Emurge Farms LLC

**Applicant: Emerge Farms LLC  
Hayden Conditional Use Permit: Written Statement**

**Conditional Use Permit ("CUP"): Attachments and Supporting Documentation**

**CUP Land Use Application Form - Question 3 - Additional Contact Information (continued)**

**Applicant: Emerge Farms LLC**

**Contact Person: Michael Don McCannon (Member/Manager of Emerge Capital Holdings LLC, which is a Member/Manager of Emerge Farms LLC)**

**Address: 7403 East Jefferson Drive, Denver, CO 80237**

**Email: mikemccannon@mtacpas.com**

**Phone: (720) 273-7223**

**Other Members of Emerge Farms LLC:**

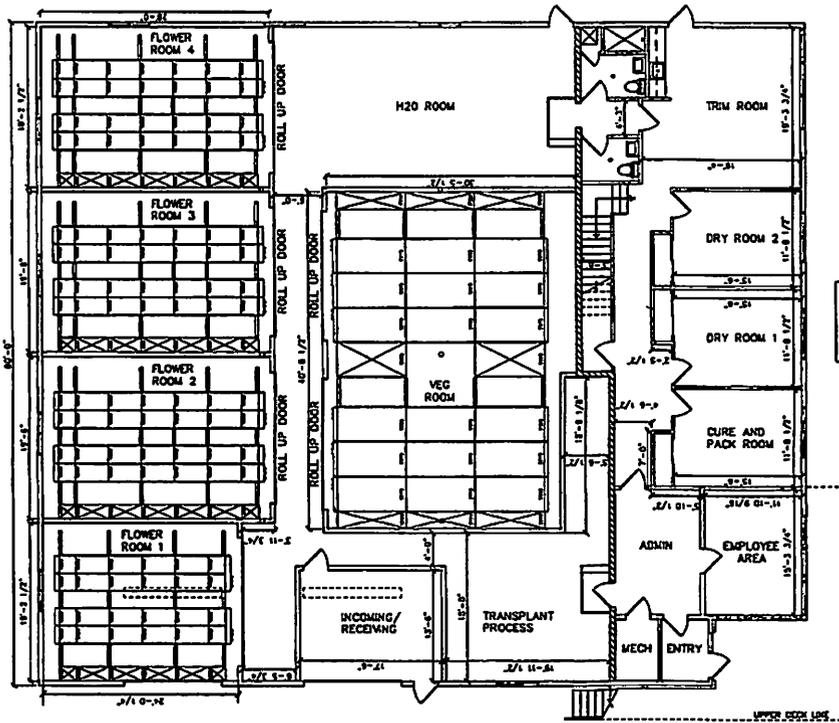
**Rust Belt Holdings LLC, Member (c/o Kevin Dietrich, sole Member/Manager)**

**Address: 35 5<sup>th</sup> Street #309, Steamboat Springs, CO 80487**

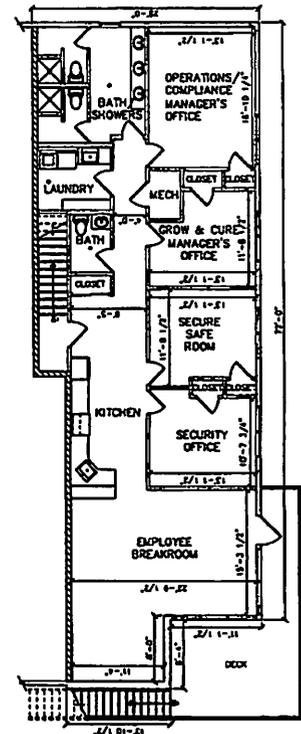
**Email: kevin@mybrokers.com**

**Phone: (970) 389-6745**





FULL BUILD OUT:  
 FLOWER 3,660 SF  
 VEC 1,848 SF  
 PERMIT:  
 PHASE ONE 800 SF



**CODE ANALYSIS-PROPOSED**

2009 INTERNATIONAL BUILDING CODE

1. OCCUPANCY GROUP: MIXED USE  
 SEPARATED USES AS FOLLOWS:  
 GROUP S2 - STORAGE (LOW HAZARD)  
 B - OFFICE  
 F-2 - FACTORY INDUSTRIAL (LOW HAZARD)

2. TYPE OF CONSTRUCTION: VB - SPRINKLERED

**AREA SUMMARY**

MAIN FLOOR LEVEL:  
 7241 SF

UPPER FLOOR LEVEL:  
 1874 SF

① Main Level Floor Plan

② Upper Level Floor Plan

**PROPOSED  
 INTERNAL PROGRAM**

Axial Arts

Morgan Creek Facility

401 Capital Street

North Carolina 27518

MAN/UPPER FLOOR PLAN

A2.1





Exhibit B

IDEAL HARVEST  
401 Capital St, Hayden, CO 81639

Canna Security AMERICA

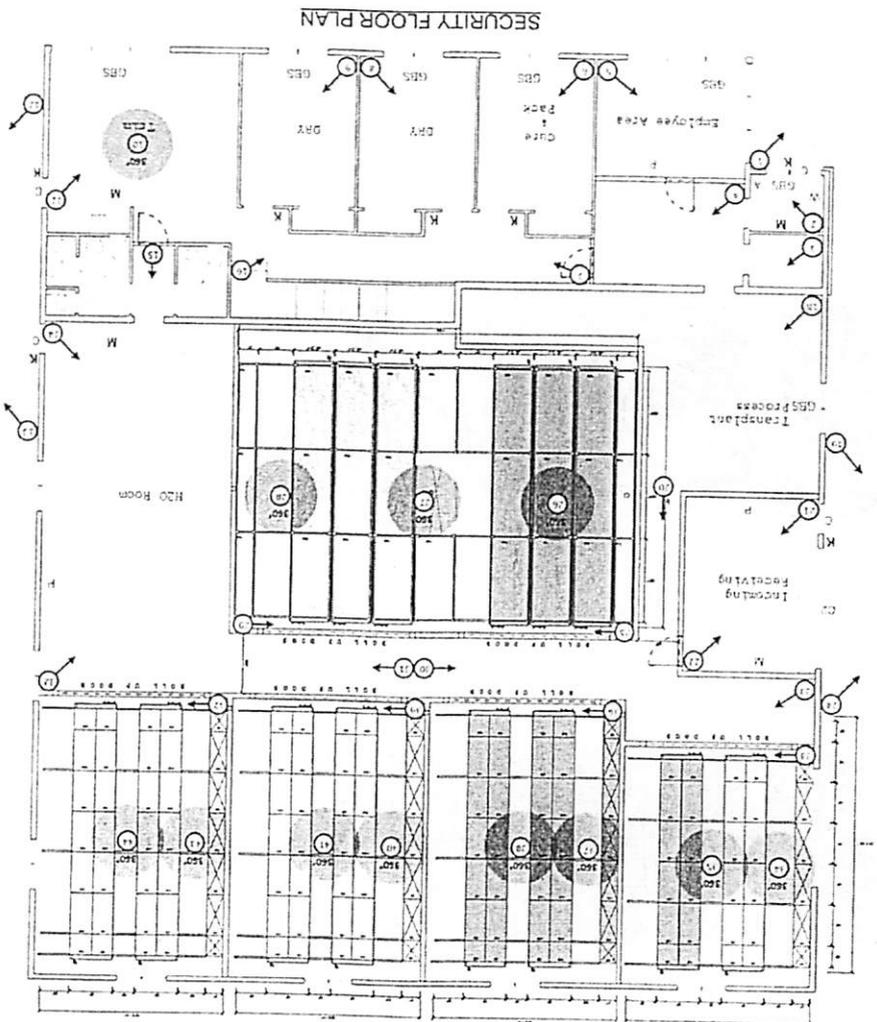


EXPLANATIONS

- IP Camera
- Network Video Recorder
- Alarm Keypad
- Alarm Control Panel
- Bimetric Access
- Door/Window Contact
- Overhead Door Sensor
- Glassbreak Sensor
- Keypad Access
- Keypad/Keypad Access
- Motion Detector
- Security Monitor
- Panic Switch
- Personal Panic Transmitter
- Seismic Vibration Sensor
- Alarm Siren

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Canna Security America (CSA)  
4704 Hailian St. Suite 520  
Denver, Colorado  
(720) 556-5824



Full Build out  
3,680 Flower  
1,848 Veg  
100 Plants

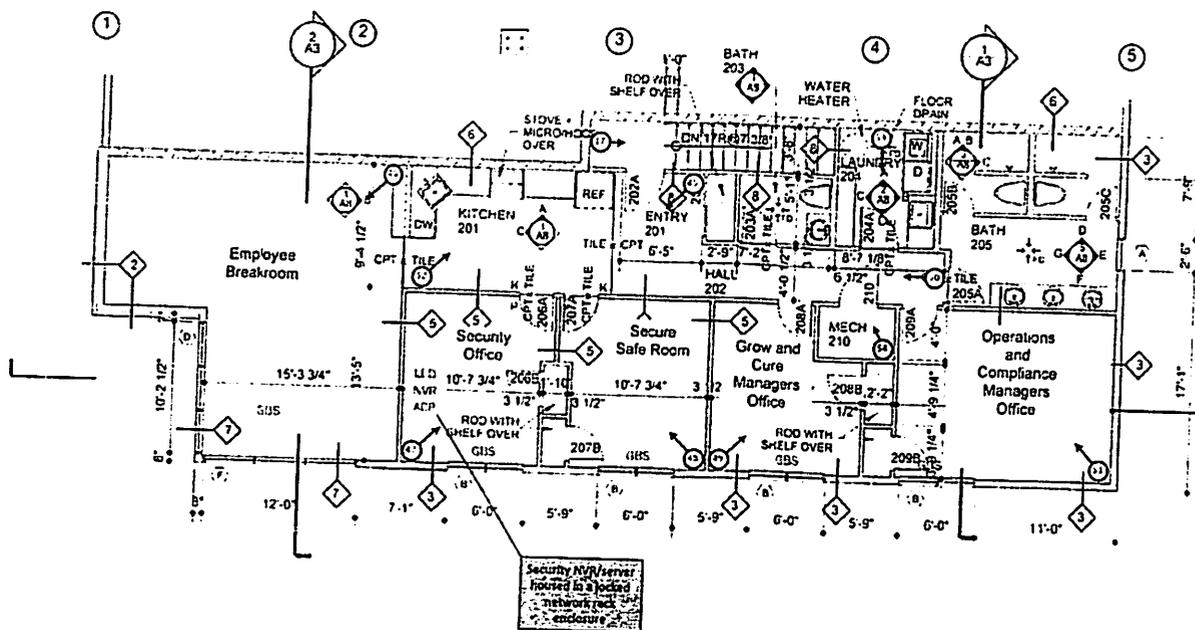
IDEAL HARVEST  
401 Capital St, Hayden, CO 81639



Canna Security  
AMERICA

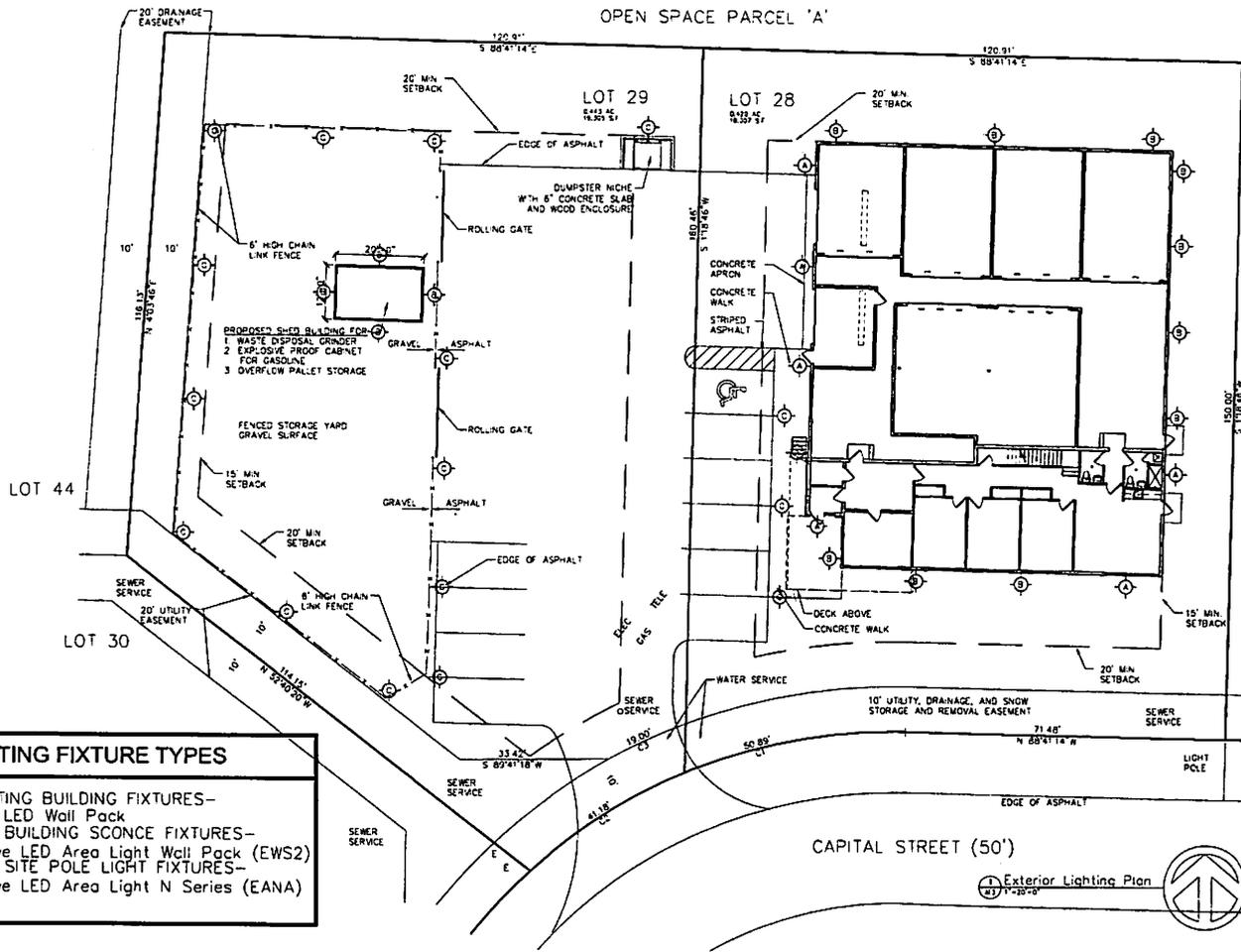
PLAN LEGEND

- ① IP Camera
- Ⓜ Network Video Recorder
- A Alarm Keypad
- A/C Alarm Control Panel
- B Biometric Access
- L Door/Window Contact
- C Overhead Door Sensor
- GIS Glassbreak Sensor
- K Keypad Access
- P/K Keypad/Keycode Access
- AS Motion Detector
- LED Security Monitor
- PS Panel Switch
- PC Personal Panic Transmitter
- S Seismic Vibration Sensor
- w Alarm Seen



SECURITY FLOOR PLAN

Canna Security America (CSA)  
4704 Marian St Suite 520  
Denver, Colorado  
(720) 536-5824



**LIGHTING FIXTURE TYPES**

- ⊕ EXISTING BUILDING FIXTURES-  
Axis LED Wall Pack
- ⊕ NEW BUILDING SCONCE FIXTURES-  
Evolve LED Area Light Wall Pack (EWS2)
- ⊕ NEW SITE POLE LIGHT FIXTURES-  
Evolve LED Area Light N Series (EANA)

Axial Arts

---

Morgan Creek Facility

401 Capital Street

---

1 Exterior Lighting Plan  
23 1'-0"=1'-0"

**A1.3**

GE  
Lighting

# Evolve™ LED Area Light

Scalable Wall Pack (EWS2)



imagination at work

## Product Features

The GE Evolve™ LED Scalable Wall Pack is optimized for customers looking for an efficient and reliable LED solution for wall mounted, site, area and general lighting applications.

Depending on the application, Evolve™ LED Scalable Wall Pack can yield up to a 75% reduction in system energy consumption compared with standard HID systems. This reliable system operates well in cold temperatures and offers more than 11 years of service life to reduce maintenance frequency and expense, based on a 50,000 hour rated life and 12 hours of operation per day. Containing no mercury or lead, this environmentally responsible product is RoHS compliant.

### Applications

- Wall mounted, site, area and general lighting utilizing an advanced LED optical system providing uniformity, vertical light distribution, reduced offsite visibility, reduced on-site glare and effective security light levels.

### Housing

- Die-cast aluminum housing.
- Sleek architectural design incorporating a heat sink directly into the unit ensuring maximum heat transfer and long LED life.
- Meets 1.5 G vibration standards per ANSI C136.31-2010.

### LED & Optical Assembly

- Structured LED array for optimized area light photometric distribution.
- Evolve™ LED light engine utilizes reflective technology to optimize application efficiency and minimize glare.
- Utilizes high brightness LEDs, 70 CRI at 4000K & 5000K typical.
- LM-79 tests and reports are performed in accordance with IESNA standards.

### Lumen Maintenance

- System rating is L85 at 50,000 hours, with L70 > 100,000 hours.

### Ratings

-  listed, suitable for wet locations.
-  listed with option code "J" SKUs.
- IP 65 rated optical enclosure per ANSI C136.25-2009.
- Title 24 compliant with motion sensor option.
- Temperature rated at -40° to 50°C. (35°C at high wattage 91W SKU).
- Upward Light Output Ratio (ULOR) = 0
-  DLC Listed

Please refer to the DLC QPL website for the latest and most complete information.  
[www.designlights.org/QPL](http://www.designlights.org/QPL)

### Mounting

- Flush wall mount to "J" Box with inspection hole for IP 65.

### Finish

- Corrosion resistant polyester powder paint, minimum 2.0 mil. thickness.
- Standard colors: Black and Dark Bronze.
- RAL & custom colors available.

### Electrical

- 120-277 volt and 347-480 volt available.
- System power factor is >90% and THD <20%\*.
- Integral surge protection:
  - Exceeds ANSI C136.2-2015 "Basic" (6kV/3kA) (120 strike)
- EMI: FCC Title 47 CFR Part 15 Class A.
- Motion sensor with dimming capability available with "H" option code.

\* System THD <26% for 347-480v supply with A7 power level.

# Ordering Number Logic

## Scalable Wall Pack (EWS2)



### EWS2

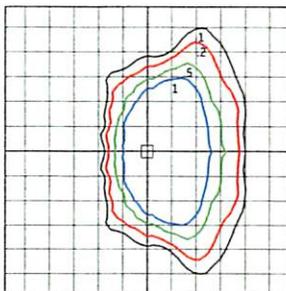
PROD. ID	VOLTAGE	POWER LEVEL	PHOTOMETRIC TYPE	LED COLOR TEMP	PE FUNCTION	COLOR	OPTIONS
E = Evolve	0 = 120-277 H = 347-480		D1 = Asymmetric Forward E1 = Asymmetric Medium	40 = 4000K 50 = 5000K	1 = None NOTE Select "H" Option for PE functionality with Motion-Sensing Dimming Control.	BLCK = Black DKBZ = Dark Bronze GRAY = Gray WHTE = White Contact manufacturer for other colors	F = Fusing H = Motion Sensor* J = cUL/Canada XXX = Special Options  *Option H only available in 120-277V. Reference page 5 (under H Motion Sensing Option) for more details
W = Wallpack	1 = 120*						
S = Scalable	2 = 208* 3 = 240* 4 = 277*						
2 = Product Generation	5 = 480* D = 347*						

\*Specify single voltage only if fuse option is selected

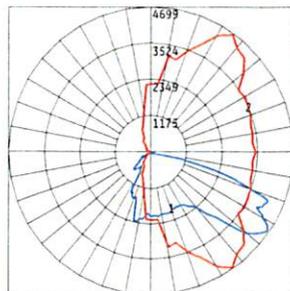
POWER LEVEL	PHOTOMETRIC TYPE	TYPICAL INITIAL LUMENS		TYPICAL SYSTEM WATTAGE		IES FILE NUMBERS 4000K		IES FILE NUMBERS 4000K		IES FILE NUMBERS 5000K		IES FILE NUMBERS 5000K		B-U-G RATING
		4000K	5000K	120-277V	347-480V	120-277V		347-480V		120-277V		347-480V		
A7	D1	3,100	3,100	29	34	EWS2_A7D140	_____-120-277V/IES	EWS2_A7D140	_____-347-480V/IES	EWS2_A7D150	_____-120-277V/IES	EWS2_A7D150	_____-347-480V/IES	1-0-1
	E1	3,100	3,100	29	34	EWS2_A7E140	_____-120-277V/IES	EWS2_A7E140	_____-347-480V/IES	EWS2_A7E150	_____-120-277V/IES	EWS2_A7E150	_____-347-480V/IES	1-0-1
B7	D1	3,900	3,900	39	44	EWS2_B7D140	_____-120-277V/IES	EWS2_B7D140	_____-347-480V/IES	EWS2_B7D150	_____-120-277V/IES	EWS2_B7D150	_____-347-480V/IES	1-0-1
	E1	4,000	4,000	39	44	EWS2_B7E140	_____-120-277V/IES	EWS2_B7E140	_____-347-480V/IES	EWS2_B7E150	_____-120-277V/IES	EWS2_B7E150	_____-347-480V/IES	1-0-1
C7	D1	4,800	4,800	51	55	EWS2_C7D140	_____-120-277V/IES	EWS2_C7D140	_____-347-480V/IES	EWS2_C7D150	_____-120-277V/IES	EWS2_C7D150	_____-347-480V/IES	1-0-1
	E1	4,900	4,900	51	55	EWS2_C7E140	_____-120-277V/IES	EWS2_C7E140	_____-347-480V/IES	EWS2_C7E150	_____-120-277V/IES	EWS2_C7E150	_____-347-480V/IES	1-0-1
D3	D1	6,700	6,700	70	70		EWS2_D3D140_____.IES				EWS2_D3D150_____.IES			1-0-1
	E1	7,000	7,000	70	70		EWS2_D3E140_____.IES				EWS2_D3E150_____.IES			2-0-1
E3	D1	8,400	8,400	91	91		EWS2_E3D140_____.IES				EWS2_E3D150_____.IES			2-0-2
	E1	8,500	8,500	91	91		EWS2_E3E140_____.IES				EWS2_E3E150_____.IES			2-0-1

## Photometrics

EWS2 - Asymmetric Forward (D1)  
8400 Lumens, 5000K (EWS2\_E3D150\_\_\_\_\_.IES)

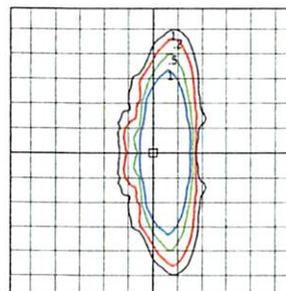


Grid Distance in Units of Mounting Height at 12 Initial Footcandle Values at Grade

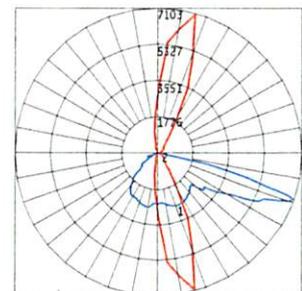


Polar Trace Vertical and Horizontal Plane through Horizontal Angle of Maximum Candlepower

EWS2-Asymmetric Medium (E1)  
8500 Lumens, 5000K (EWS2\_E3E150\_\_\_\_\_.IES)



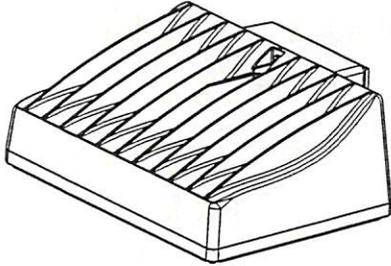
Grid Distance in Units of Mounting Height at 12 Initial Footcandle Values at Grade



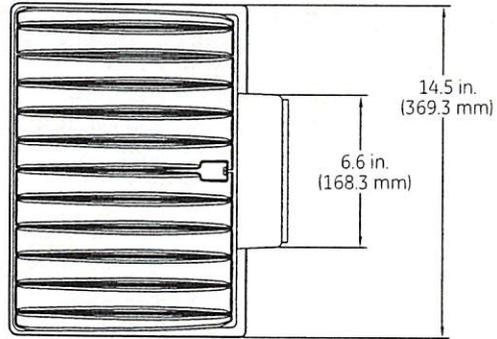
Polar Trace Vertical and Horizontal Plane through Horizontal Angle of Maximum Candlepower

# Product Dimensions

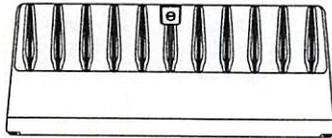
Top/Side View



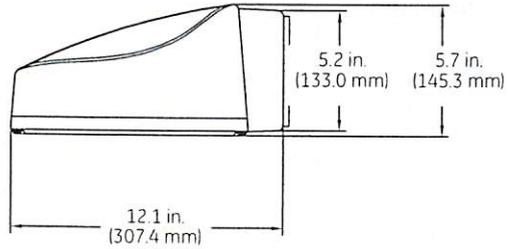
Top View



Front View

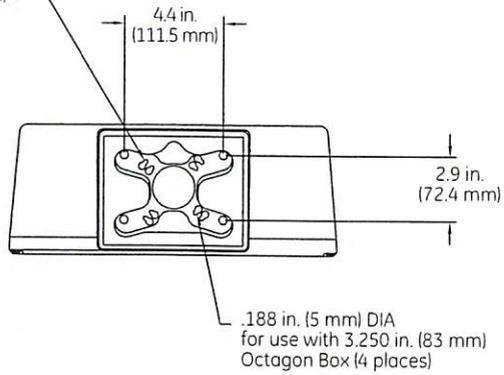


Side View



.188 in. (5 mm) DIA  
for use with 4.000 in. (102 mm)  
Octagon Box (4 places)

Back View

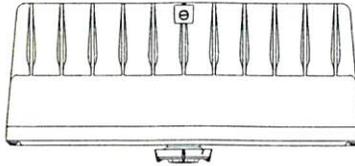


DATA

- Approximate Net Weight: 21 lbs (9.53 kgs)

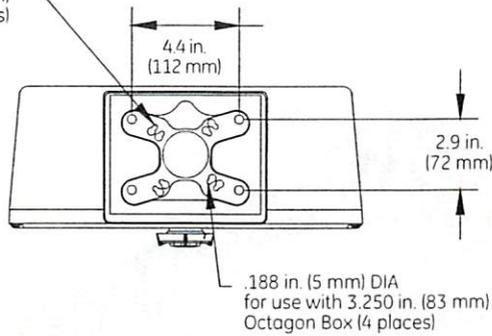
## Product Dimensions

Front View with Motion Sensor Option

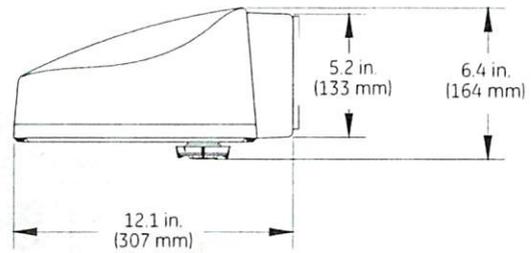


Back View with Motion Sensor Option

.188 in. (5 mm) DIA for use with 4.000 in. (102 mm) Octagon Box (4 places)

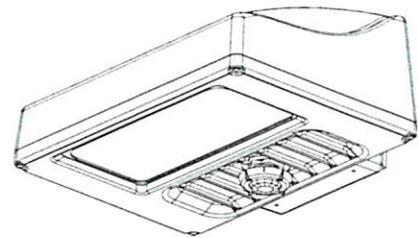


Side View with Motion Sensor Option



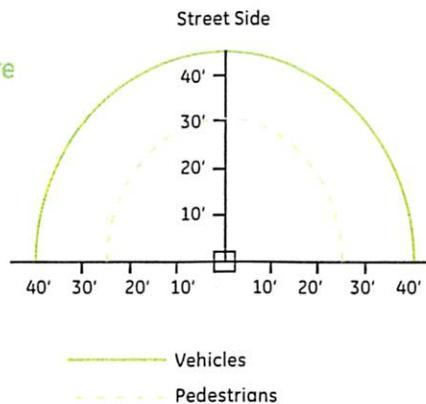
## H-Motion Sensing Option:

- Intended for 8-25ft mounting heights.
- Provides a coverage area radius for walking motion of 25-30ft.
- Provides 180° of coverage (~180° is blocked by the wall).
- Factory preset to 50% dimming with no occupancy.
- May be reprogrammed using additional remote programmer.  
Remote Programmer part number: WS FSIR-100 PROGRAMMER (197634)
- Photoelectric control is integrated through the motion sensor, and is offered as standard.



## Sensor Pattern:

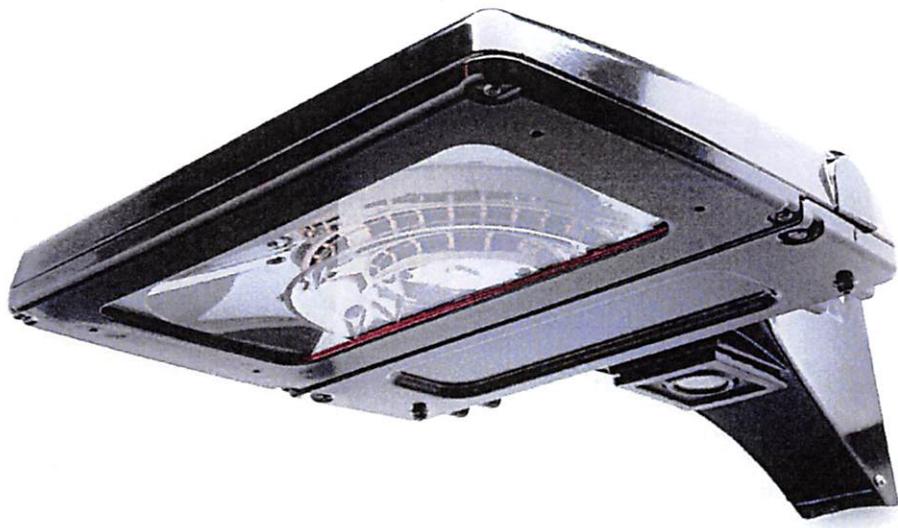
Sensing Pattern Wall Pack Fixture  
Up to 25ft.



GE  
Lighting

# Evolve™ LED Area Light

N Series (EANA)



imagination at work

## Product Features

The next generation of the GE Evolve™ LED Area Light is an exciting solution to efficiently illuminate site and area applications. The smaller-form design of the EANA fixture provides superior illuminance at impressive site ROIs. The exclusive optical ring design effectively directs the light and produces impressive vertical illuminance and glare control. Additionally, the Evolve LED Area Light provides significant operating cost benefits over the life of each fixture with reduced energy consumption and a long rated life that virtually eliminates ongoing maintenance expenses.

### Applications

- Site, area, and general lighting applications utilizing advanced LED optical system providing high uniformity, excellent vertical light distribution, reduced offsite visibility, reduced on-site glare and effective security light levels.
- Obtain a truly optimized and efficient parking space with dimming and occupancy sensing features.

### Housing

- Die-cast aluminum housing.
- Slim architectural design incorporates an integral heat sink and light engine, ensuring maximum heat transfer, long LED life, and a reduced Effective Projected Area (EPA).
- Meets 2G vibration level per ANSI C136.31-2010.

### LED & Optical Assembly

- Structured LED arrays for optimized area light photometric distribution.
- Evolve light engine with directional reflectors designed to optimize application efficiency and minimize glare.
- Utilizes high brightness LEDs, 70 CRI at 4000K and 5000K typical.

### Lumen Maintenance

- System rating is L85 at 50,000 hours. Contact manufacturer for Lxx rating (Lumen Depreciation) beyond 50,000 hours.

### Ratings

- /c/ listed, suitable for wet locations.
- IP66 rated optical enclosure per ANSI C136.25-2009.
- Temperature rated at -40° to 50°C.
- Upward Light Output Ratio (ULOR) = 0.
- Title 24 compliant with "H" motion sensor option.
- Compliant with the material restriction requirements of RoHS.
-  DLC Listed

Please refer to the DLC QPL website for the latest and most complete information.  
[www.designlights.org/QPL](http://www.designlights.org/QPL)

### Mounting

#### Option A

- 10-inch (254mm) mounting arm for square pole prewired with 24-inch (610mm) leads.

#### Option B

- 10-inch (254mm) mounting arm for round pole prewired with 24-inch (610mm) leads.

#### Option C

- Slipfitter mounting for 2 3/8-inch (60mm) O.D. pipe prewired with 24-inch (610mm) leads.

#### Option D

- 10-inch (254mm) mounting arm for round or square pole prewired with 24-inch (610mm) leads.

### Finish

- Corrosion resistant polyester powder painted, minimum 2.0 mil. thickness.
- Standard colors: Black & Dark Bronze.
- RAL & custom colors available.

### Electrical

- 120-277 volt and 347-480 volt available.
- System power factor is >90% and THD <20%.
- Photo electric sensors (PE) available for all voltages.
- GE dimmable PE socket is available making the unit "adaptive controls ready." Contact manufacturer for details.
- Dimming:
  - Wired 0-10V continuous dimming with "D" option code
  - Stand-alone motion sensor based dimming using "H" option code
- Surge Protection Options:  
For 120-277VAC and 347-480VAC per IEEE/ANSI C136.2-2014.
  - 6kV/3kA "Basic" surge protection, standard.
  - 10kV/5kA "Enhanced" surge protection available with "R" option code.

# Ordering Number Logic

## Evolve™ LED Area Light N Series (EANA)



E A N      A      5

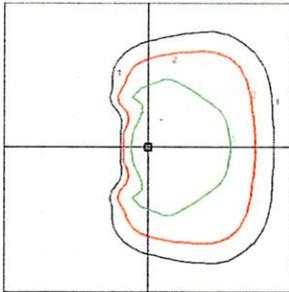
PROD. ID	PHOTOMETRIC SERIES	VOLTAGE	OPTICAL CODE	DRIVE CURRENT	LED COLOR TEMP	PE FUNCTION	MOUNTING ARM	COLOR	OPTIONS
E = Evolve A = Area Light N = Housing Series	A = Photometric Series "A"	0 = 120-277 1 = 120* 2 = 240* 4 = 277* 5 = 480* H = 347-480V D = 347*		5 = 525mA	40 = 4000K 50 = 5000K	1 = None 2 = PE Rec 4 = PE Rec with Shorting cap 5 = PE Rec. with Control** A = ANSI C136.41 7-pin PE Receptacle †# D = ANSI C136.41 7-pin PE Receptacle with Shorting Cap †# ** PE control not available for 347-480V. Must be a discrete voltage (347V or 480V) † When ordering PE function socket A or D, a dimming driver must also be ordered under the "OPTIONS" column. # Order Dimming/Control PE as a separate item.	A = 10" Arm for Square Pole, supplied with leads B = 10" Arm for Round Pole, supplied with leads C = EXT Slipfitter 2" Pipe (2.378 in OD) supplied with leads D = 10" Arm for Round or Square poles, supplied with leads and additional hardware	BLCK = Black DKBZ = Dark Bronze GRAY = Gray WHITE = White Contact manufacturer for other colors	D = Dimming (0-10 Volt Input) † F = Fusing R = 10kV Enhanced Surge Protection H = Motion Sensor *# XXX = Special Options † Dimming leads will be provided through the back of the arm, unless specified with A or D PE Function. * May only be selected in conjunction with A or B Mounting Arm. # Dimming is standard with H option code. Do not also select D option. Not compatible with PE receptacle options A, or D.

	OPTICAL CODE	TYPE	TYPICAL INITIAL LUMENS		TYPICAL SYSTEM WATTAGE		BUG RATINGS*						IES FILE NUMBER	
			4000K	5000K	120-277V	347-480V	B	U	G	B	U	G	4000K	5000K
TYPE IV	A4	Asymmetric Forward	3,730	3,750	46	46	1	0	1	1	0	1	EANA_A4540__IES	EANA_A4550__IES
	B4	Asymmetric Forward	5,510	5,540	65	65	1	0	2	1	0	2	EANA_B4540__IES	EANA_B4550__IES
	C4	Asymmetric Forward	7,180	7,210	85	85	1	0	2	1	0	2	EANA_C4540__IES	EANA_C4550__IES
	D4	Asymmetric Forward	8,810	8,850	104	104	1	0	2	1	0	2	EANA_D4540__IES	EANA_D4550__IES
	F4	Asymmetric Forward	12,320	12,380	148	148	2	0	3	2	0	3	EANA_F4540__IES	EANA_F4550__IES
TYPE III	A3	Asymmetric Wide	4,070	4,090	46	46	1	0	1	1	0	1	EANA_A3540__IES	EANA_A3550__IES
	B3	Asymmetric Wide	6,010	6,040	65	65	1	0	1	1	0	1	EANA_B3540__IES	EANA_B3550__IES
	C3	Asymmetric Wide	7,830	7,860	85	85	1	0	2	1	0	2	EANA_C3540__IES	EANA_C3550__IES
	D3	Asymmetric Wide	9,620	9,650	104	104	2	0	2	2	0	2	EANA_D3540__IES	EANA_D3550__IES
	F3	Asymmetric Wide	13,450	13,500	148	148	2	0	2	2	0	2	EANA_F3540__IES	EANA_F3550__IES
TYPE II	A2	Asymmetric Narrow	3,940	3,960	46	46	1	0	1	1	0	1	EANA_A2540__IES	EANA_A2550__IES
	B2	Asymmetric Narrow	5,820	5,850	65	65	1	0	1	1	0	1	EANA_B2540__IES	EANA_B2550__IES
	C2	Asymmetric Narrow	7,580	7,620	85	85	2	0	2	2	0	2	EANA_C2540__IES	EANA_C2550__IES
	D2	Asymmetric Narrow	9,310	9,350	104	104	2	0	2	2	0	2	EANA_D2540__IES	EANA_D2550__IES
	F2	Asymmetric Narrow	10,960	11,010	123	123	2	0	2	2	0	2	EANA_F2540__IES	EANA_F2550__IES

\*Rating values for B and G are based on rated lumens and may vary due to flux tolerances

# Photometrics

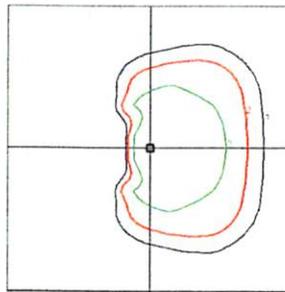
**EANA Type IV - Asymmetric Forward (F4)**  
12,380 Lumens, 5000K (EANA\_F4550\_\_.IES)



Grid Distance in Units  
of Mounting Height at 30° Initial  
Footcandle Values at Grade

— Vertical plane through horizontal angle  
of maximum candlepower at 45°  
— Vertical plane through horizontal angle of 72.5°

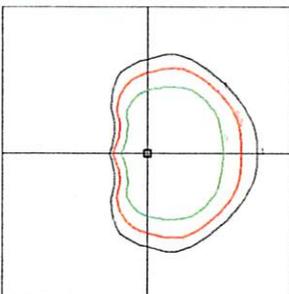
**EANA Type IV - Asymmetric Forward (A4)**  
3,750 Lumens, 5000K (EANA\_A4550\_\_-120-277V.IES)



Grid Distance in Units  
of Mounting Height at 15° Initial  
Footcandle Values at Grade

— Vertical plane through horizontal angle  
of maximum candlepower at 45°  
— Vertical plane through horizontal angle of 72.5°

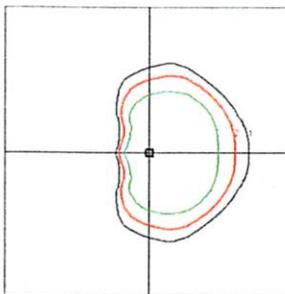
**EANA Type III - Asymmetric Wide (F3)**  
13,500 Lumens, 5000K (EANA\_F3550\_\_.IES)



Grid Distance in Units  
of Mounting Height at 30° Initial  
Footcandle Values at Grade

— Vertical plane through horizontal angle  
of maximum candlepower at 20°  
— Vertical plane through horizontal angle of 52.5°

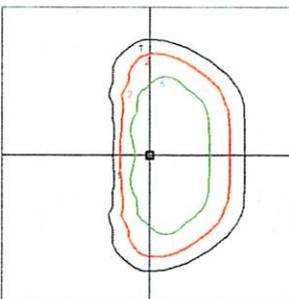
**EANA Type III - Asymmetric Wide (A3)**  
4,090 Lumens, 5000K (EANA\_A3550\_\_-120-277V.IES)



Grid Distance in Units  
of Mounting Height at 15° Initial  
Footcandle Values at Grade

— Vertical plane through horizontal angle  
of maximum candlepower at 20°  
— Vertical plane through horizontal angle of 52.5°

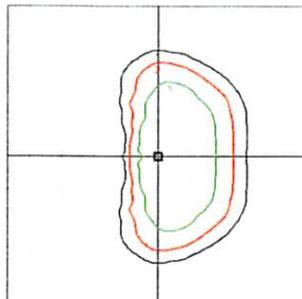
**EANA Type II - Asymmetric Narrow (F2)**  
13,080 Lumens, 5000K (EANA\_F2550\_\_.IES)



Distance in Units  
of Mounting Height at 30° Initial  
Footcandle Values at Grade

— Vertical plane through horizontal angle  
of maximum candlepower at 65°  
— Vertical plane through horizontal angle of 60°

**EANA Type II - Asymmetric Narrow (A2)**  
3,960 Lumens, 5000K (EANA\_A2550\_\_-120-277V.IES)



Grid Distance in Units  
of Mounting Height at 15° Initial  
Footcandle Values at Grade

— Vertical plane through horizontal angle  
of maximum candlepower at 65°  
— Vertical plane through horizontal angle of 60°

# Product Dimensions

10" Arm For Square Pole Mount (Option A)

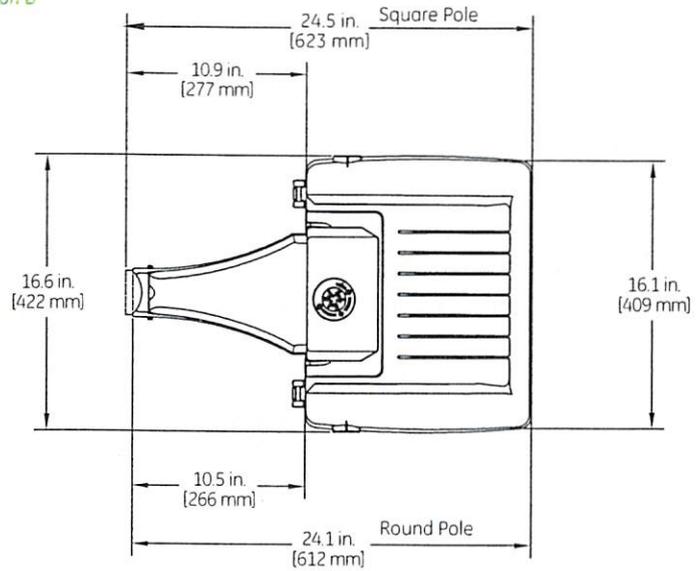
10" Arm For Round Pole Mount (Option B)

10" Arm For Square Pole Mount or Round Pole Mount (Option D)

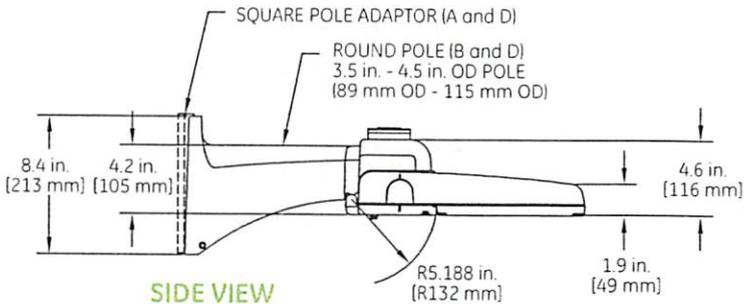
Option D includes all mounting hardware in Option A and Option B



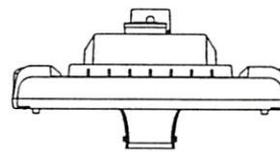
ISOMETRIC VIEW



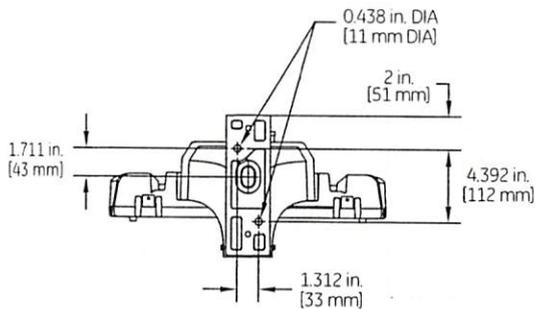
TOP VIEW



SIDE VIEW

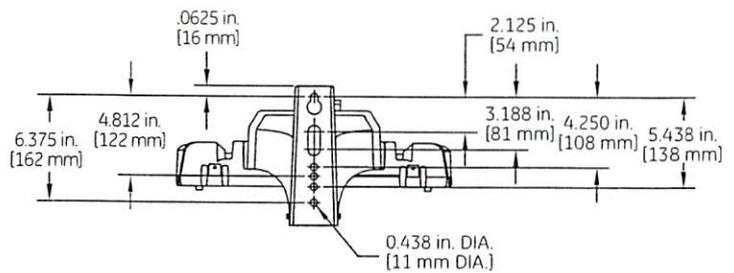


FRONT VIEW



BACK VIEW

Option A and D Square Pole  
3.5 in. - 4.5 in POLE  
(89 mm - 115 mm)



BACK VIEW

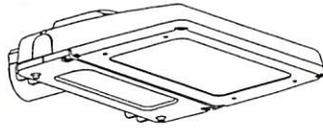
Option A and D Round Pole  
3.5 in. - 4.5 in OD POLE  
(89 mm OD - 115 mm OD)

DATA

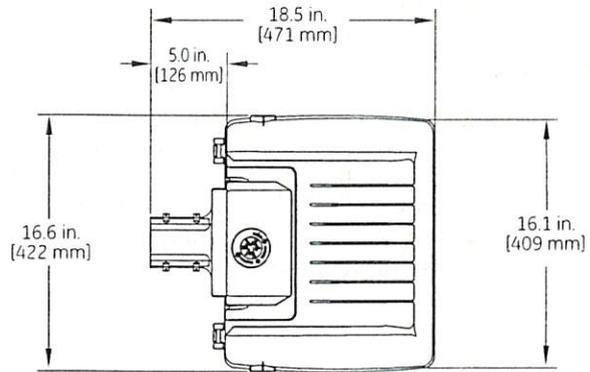
- Approximate net weight: 20 lbs (9.07 kgs)
- Effective Projected Area (EPA) with 10" Mounting Arm: 0.67 sq ft max (0.06 sq m)

## Product Dimensions

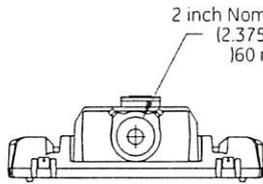
### Slipfitter Arm Mount (Option C)



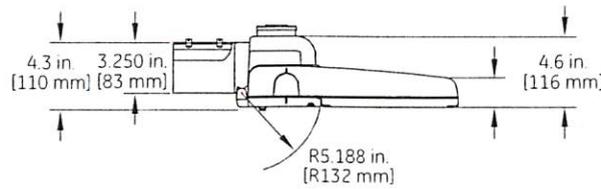
ISOMETRIC VIEW



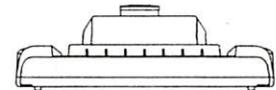
TOP VIEW



BACK VIEW



SIDE VIEW



FRONT VIEW

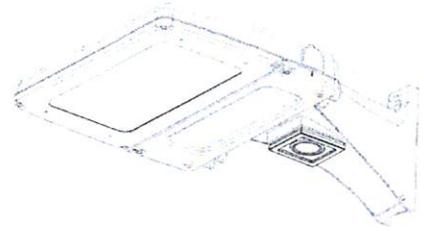
DATA

- Approximate net weight: 19 lbs (8.61 kgs)
- Effective Projected Area (EPA) with Slipfitter: 0.43 sq ft max (0.04 sq m)

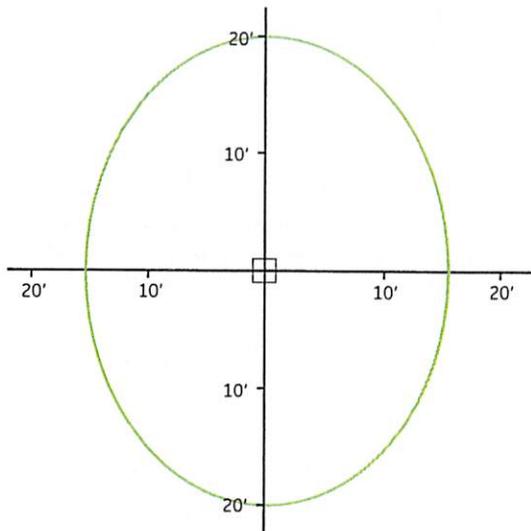
## H-Motion Sensing Option:

- Intended for high mounting applications, between 15-30ft (4.57-9.14m). For mounting heights exceeding 30ft, pole mounted sensors are recommended.
- Provides a coverage area radius for walking motion of 15-20ft (4.57-6.10m).
- Provides 270° of coverage (~90° is blocked by the pole).
- Comes standard with 50% dimmed light output with no occupancy, and full power at occupancy.
- Comes standard with photocell function. Note: It is not necessary to also purchase PE receptacle or control.
- Comes standard with a 5 minute occupancy time delay and a 5 minute ramp-down to the 50% dimmed level.
- Must order with decorative mounting arm options "A" or "B".
- Fixture power increase of 1W expected with sensor use.

Note: Standard options may be reprogrammed in the field. Reprogramming instructions included in product shipment.



## Sensor Pattern:



Sensing Pattern Area Fixture  
Up to 30 ft.

Applicant: Emerge Farms LLC  
Hayden Conditional Use Permit: Written Statement

Applicant: Emerge Farms LLC ("Emerge")

Attachment to Conditional Use Permit Application

**Written Statement: Description of Proposed Use, Operating Characteristics, and How Conditional Use Review Criteria and Non-Residential Marijuana Cultivation Review Criteria Will Be Satisfied**

**I. Precise Nature of Proposed Use and Operating Characteristics**

- a. **Proposed Use:** The proposed use for obtaining a conditional use permit is to conduct retail marijuana cultivation operations for wholesale distribution in compliance with all applicable state and local laws.

**II. Operating Characteristics**

- a. **Hours of Operation:** The facility's hours of operation will be from 8:00a.m. – 6:00p.m., seven days per week; there may be extended hours at times, if then existing condition of plants requires additional maintenance. Extended hours are subject to compliance with all applicable local and state regulations. In no event will distribution of marijuana occur after 12:00 a.m. MST but before 8:00 a.m. MST. Emerge will ensure compliance with State Retail Marijuana Code Rule 308, which governs hours of operation at all times.
- b. **Waste Plan:** All marijuana and non-marijuana waste will be disposed of in compliance with all applicable state and local regulations. Importantly, all marijuana waste will be made unusable and unrecognizable prior to leaving the licensed premises. There will be two waste streams: one stream which contains excess marijuana waste, and one stream which contains other non-marijuana waste.

The second stream of waste (the industrial, non-marijuana waste) will be disposed of through ordinary waste pickup by Twin Enviro Services, or another waste management company. The first stream of waste (the marijuana waste) will be disposed of as follows: excess marijuana plant material will be ground up and incorporated with non-consumable solids such as bleach and soil, such that the resulting mixture is at least 50% non-marijuana waste. A gas powered grinder will be used on-site to grind up the excess plant material; the grinder will be stored inside of a secure shed in a fenced area of the premises. Once waste is rendered unusable and unrecognizable, Emerge will store the unusable marijuana waste in a secured and locked waste receptacle on-site that is solely in Emerge's possession and control.

The waste will subsequently be disposed of at a facility that has a Certificate of Designation from the local governing body. Emerge will likely use Twin Enviro Services, as this waste management company services Hayden, has the appropriate Certificate of Designation, and has confirmed that it has experience dealing with marijuana waste from licensed cultivation facilities in the Routt County area.

- c. **Odor Control Plan:** Emerge will use a closed air filtration system in its cultivation facility (see *Exhibit A* for a diagram of the odor filtration system). There is no outside venting whatsoever in this design; this allows for the air to be treated solely inside of the building. The main entrance employs a two door vestibule system that helps contain odor when entering and leaving the building. In addition, the other material access door is sectioned off from the rest of the grow operation, thereby creating a buffer and preventing odor from exiting the facility.

Odor is treated in each individual section of the building. Grow rooms contain 12 inch fans moving 1708 cubic feet per minute ("CFM") of air through 1700 cubic feet per minute carbon filters. These rooms are matched by square footage to the number of filters (in other words, the number of filters in each room is based on the room's square footage). The vegetative area contains 12 inch fans moving 1708 CFM of air through 1700 CFM carbon filters matched to square footage. Connecting hallways and material access rooms have 12 inch fans moving 1708 CFM of air through 1700 CFM carbon filters matched to square footage. The transplant area contains 12 inch fans moving 1708 CFM of air through 1700 CFM carbon filters matched to square footage. All processing areas (Trim, Dry, Cure) and main entry contain 8 inch fans moving 667 CFM of air through 950 CFM carbon filters matched to square footage.

The carbon filters act as air "scrubbers." They operate 24 hours per day cleaning the particles in the air that create odor. Carbon filters are replaced annually to ensure proper filtration. Emerge will be using "Phat Filters," the highest certified adsorption yielding carbon on the market. (Adsorption is defined as the adhesion of molecules of gas, liquid, or dissolved solids to a surface. This process creates a film of the adsorbate - the molecules or atoms being accumulated - on the surface of the adsorbent. It differs from absorption, in which a fluid permeates or is dissolved by a liquid or solid.) Adsorption yield number equals a greater capacity to absorb odor and sustain a long life span.

- d. **Security Plan:** Emerge Farms plans to utilize Canna Security as its security system provider. The premises will be monitored 24 hours a day, 7 days per week. *Exhibit B* illustrates the location of all cameras, the security office (including a server room and required recording equipment), and the secure safe room for the on-site guard. Emerge's security plan is designed, so that all areas and individuals within the facility, including interior entry points to all grow and process areas/rooms and all perimeter entry points and perimeter windows, can be viewed and recorded. The security plan for the facility will also include the following components:
- i. A set of written operating instructions for each aspect of the Security Alarm System.
  - ii. Commercial-grade II, non-residential locks at all points of ingress/egress and into the surveillance room.

**Applicant: Emerge Farms LLC  
Hayden Conditional Use Permit: Written Statement**

- iii. A video surveillance and camera recording system that is fully digital.
- iv. All documentation and approvals relating to surveillance, shall be kept in a locked room.
- v. A 19" call up monitor attached to a DVR playback station with accessibility to DVR controls for playback operation.
- vi. A printer capable of producing a clear color still photo from any camera image or surveillance footage.
- vii. Fish eye cameras in all grow areas to provide coverage to capture all activities even in low light.
- viii. All surveillance recordings shall be kept for twenty (20) days on DVD with the following twenty (20) days on an external hard-drive.

In addition to the fish eye lens cameras, the video surveillance system also utilizes Internet Protocol "IP" cameras with the following features:

- i. 640 X 480 Resolution
- ii. 1/4" CCD Image Sensor1
- iii. H.264 Video Compression
- iv. 30fps Frame Rate
- v. .1 Lux Illumination
- vi. Zoom Factor (10 Times)
- vii. Auto Gain Control/Auto White Balance /Auto Focus

The security plan for the facility also provides all necessary exterior lighting as required. All employees of Emerge will hold and properly display at all times a current and valid license badge.

- e. **Expected Electrical Use:** While the electrical system is still in the design phase, Emerge has worked on defining the facility's electrical requirements. The facility is currently being supplied by a 120V/208V transformer. Based upon the current voltage supplied to the site from the substation, the facility would require a 3000A (amperage) service. Emerge is working with Yampa Valley Electric Association ("YVEA") through YVEA's process to define the exact configuration of the incoming power. It is expected that YVEA will be installing a transformer capable of a 4000A service to provide sufficient safety margin to the demand.

The internal electrical system is being engineered with sufficient design margin such that no single service will have the need to connect electrical demand greater than the amperage of the individual circuits. This protects the equipment, the facility, and the product from damage due to any interruption of power.

- f. **Expected Water and Sewer Use:** Water usage will be dictated by the quantity used in the grow areas of the cultivation facility. The primary uses include the irrigation of plants, humidification, and cleaning. Additionally a small amount of water will be used for housekeeping and by the employees. At the 1800 plant count level, the facility will use an average of 2,000 gallons of water daily. Within the City of Hayden, the location of the cultivation facility with respect to the Town's water supply will be sufficient for the operations intended and is derived from a municipal source that is a regulated water system.

Waste water that is generated from the facility will be collected through standard drainage systems. Less than 10% of the water used in irrigation becomes runoff that will go to the drain. An in-ground collection tank of no less than 1,500 gallons will be utilized to hold the site drainage in advance of being pumped up to the Town sewer system.

**III. Fulfilment of Conditional Use Criteria (16.03.070.C)**

- a. The conditional use will satisfy all applicable provisions of the zoning code and subdivision regulations; no variance is being requested. The premises seeking licensure and permitting are located in the light industrial zone, which is consistent with the proposed use (non-residential marijuana cultivation operations, a light industrial use).
- b. The conditional use will conform with and further the goals, policies, and strategies set forth in the Town of Hayden's Comprehensive Plan (the "Plan"). Starting a marijuana cultivation business in Hayden will bring employment opportunities to the Hayden community, increase local tax revenues, will contribute to fiscally balanced growth, and promote fiscal self-sufficiency.

One of the key goals enumerated in the Plan's Executive Summary is to plan for new light industrial development that will provide jobs to the local population and increase tax revenues. Emerge illustrates this goal; it is a pioneering light industrial business that will provide job opportunities to the local Hayden population and generate tax revenues through payment of the local excise and commercial property taxes. Section 2.2.6 of the Plan states, "Approximately half of Hayden's workforce is employed in the surrounding area." In other words, Hayden also serves as a bedroom community to other towns such as Steamboat Springs and Craig. Based on Section 4.1.1 of the Plan, it is clear that a primary goal is to bring new employment and business activity to the town of Hayden itself, so that commuting residents do not spend their money and pay sales tax in neighboring communities. The overall goal is to keep Hayden residents' money in Hayden to fund town services and fuel the local economy. As a local employer, Emerge will help fulfill this goal by keeping Hayden residents in town, thereby

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reducing commuting and increasing the demand for shopping and services in Hayden, while simultaneously reducing the flow of sales tax dollars to other communities.

Additionally, one of the fiscal health goals outlined in the Plan is to create a balanced tax base for the Town that is not overly dependent on one sector of the economy. Allowing the newly legalized marijuana industry to establish roots in Hayden inevitably diversifies the local economy and its tax base, thereby reducing tax dependence upon the more traditional industries that Hayden has relied on in the past. Furthermore, fiscal balance is achieved through the business's commercial nature. Commercial properties generally generate higher tax revenues than residential properties. Additionally, commercial uses generally require less municipal services than residential uses; thus, the property taxes generated by commercial uses will offset the municipal costs of residential uses elsewhere. Finally, the premises seeking licensure and permitting are located within the Town limits and are already connected to municipal services. Thus, there is no extra cost involved to expand municipal services to the property because it is already served by the Town.

- c. The conditional use will be adequately served with public utilities, services, and facilities and will not impose an undue burden above and beyond those of the permitted uses of the district. The premises that seek to be permitted are located within the Town of Hayden's limits, and are already serviced by public water and sewage, as provided by the Town of Hayden. Electricity is provided by Yampa Valley Electric Association. The property is also located on Capital Street, a public road, so is easily accessible. As part of the Town of Hayden, the property is located in the West Routt Fire Protection District and is in close proximity to the nearest fire department, which is located approximately two miles away at 500 South Poplar Street in Hayden. The property also enjoys a developed storm drainage system and has refuse collection to be serviced by either Twin Enviro Services or Waste Management.
- d. The conditional use will not substantially alter the basic character of the district in which it is in, nor will it jeopardize the development or redevelopment potential of the district. The marijuana cultivation operation will be fully concealed and enclosed within the building on the premises. There will be no signage or external indication that marijuana cultivation operations are housed inside the building. Moreover, the property's exterior appearance will remain as it is currently constructed. Thus, the conditional use will not physically alter anything on the outside of the building, and the basic character of the district, a light industrial business park, will be preserved. No development potential will be jeopardized in any way, as there will be no visual or sensory impact on neighboring properties.
- e. The conditional use will result in efficient on and off-site traffic circulation, which will not have any adverse impact on the adjacent uses or result in hazardous conditions for

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pedestrians or vehicles in or adjacent to the site. The premises proposed for the cultivation operations has its own parking lot, so there will be no parking issues for employees and/or vendors, and all traffic for the operation will be directed to this area. The premises are located in a light industrial business park and the ingress/egress is designed to accommodate the park. Furthermore, the volume of traffic is expected to be minimal, and carpooling amongst employees will be encouraged as a company policy to promote a greener environment. Emerge will employ approximately eight (8) full time employees, which include the following positions: Grow Manager, Operations Manager, Grow Technicians, Trim Technicians, Dry/Cure Manager, Harvest Quality Assurance and Compliance Specialist, and Inventory and Tracking Technologist. Vendors will occasionally visit the property for delivery and service purposes. No adverse impacts from traffic are anticipated. No hazardous conditions for pedestrians or vehicles will occur on or adjacent to the site.

- f. No potential negative impacts of the conditional use on the rest of the neighborhood (or of the neighborhood on the conditional use) are expected. Where potential may exist, Emerge has plans to mitigate.
- i. **Traffic Impacts:** See III(e) above. No negative traffic impacts are anticipated.
  - ii. **Activity Levels:** There will be daily business activity on the property; the level of business activity will not exceed normal standards. Business activity will commence seven days per week and between the hours of 8:00a.m and 6:00p.m., though later than 6:00p.m. when plants require extra attention, and in no event will any distribution take place between the hours of 12:00a.m. MST and 8:00 a.m. MST. Additionally, this routine business activity will not adversely impact the surrounding properties. It is estimated that Emerge will employ eight (8) full-time employees.
  - iii. **Light Impacts:** There will be no adverse impacts on the rest of the neighborhood from lighting. All lighting for marijuana cultivation operations will be enclosed inside the building with the exception of exterior lighting for security purposes, as required by the Town. To comply with the Hayden Municipal Code's security provisions, Section 5.22.110(E)(3), the building's outside walls shall be illuminated during evening hours. See separate Town of Hayden license application attachment for a full and comprehensive exterior lighting plan.
  - iv. **Noise Impacts:** There will be no adverse noise impacts. All cultivation operations will be conducted inside of the building and all noise will be contained within the building.
  - v. **Odor Impacts:** There will be no odor impacts. As detailed above in Section II(c), Emerge will implement an odor control plan, specifically designed so that any scent of marijuana will not exit the building.
  - vi. **Building Type, Style, and Scale Impacts:** The building's exterior will remain as it is currently constructed, which is already compliant with applicable Town codes.

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As it is a preexisting structure existing in the neighborhood, there will be no adverse impacts on the surrounding neighborhood. No signage is proposed (if any is to be used, it will be of a minimal nature and directory-type signage). The cultivation facility is intended to blend in with the environment as it currently exists.

- vii. **Hours of Operation:** There will be no negative impacts caused by Emerge's hours of operation. For planned hours of operation, see Section II(a) above.
  - viii. **Dust Impacts:** There will be no negative impact from dust on the neighborhood. No construction is proposed other than a minimal amount to the interior of the building. Dust is a nonissue.
  - ix. **Erosion Control Impacts:** No erosion is anticipated from the marijuana cultivation operation, and thus there will be no negative impact on the neighborhood in this regard. As mentioned previously, the site has already been constructed, and no construction is proposed other than minimal interior improvements. Erosion is a nonissue.
- g. A local marijuana cultivation facility license application has been submitted to the Town of Hayden (see application that accompanies this Conditional Use Permit application) and is currently in process. A state business retail marijuana license application has been submitted to the State of Colorado (see state retail business license application that accompanies this Conditional Use Permit application) and is currently in process with the State of Colorado's Marijuana Enforcement Division ("MED").

**IV. Fulfilment of Non-Residential Marijuana Cultivation Review Criteria**

- a. Possession and cultivation of more than twelve (12) marijuana plants on any premises or within any structure in any zone district in the Town will not occur by Emerge without an approved Conditional Use Permit and without the license required for such a cultivation facility under Chapter 5.22 of the Hayden Municipal Code.
- b. Morgan Creek LLC, the owner of the premises that seeks licensure and permitting, and Emerge Farms LLC, the business that operates within the premises, shall not allow more than twelve (12) marijuana plants to be possessed or cultivated on the premises without approval of a Conditional Use Permit and without the license required for such a cultivation facility under Chapter 5.22 of the Hayden Municipal Code.
- c. Marijuana will not be cultivated outside of any completely enclosed locked structure. All cultivation operations will occur inside of the secure building located at 401 Capital Street.
- d. The marijuana plants will be cultivated, produced, and possessed within the building approved as part of the Conditional Use Permit process. Exposed cultivation of

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**marijuana outside of the building is not contemplated. All marijuana plants will be cultivated within a completely enclosed, locked, and secure structure.**

- e. The cultivation, production, and possession of marijuana plants will not be conducted in an open and public manner; operations will not be perceptible from the exterior of the building on the subject site. Cultivation, production, and possession will not cause: 1) regularly occurring or persistent unusual odors, smells, fragrances, or other olfactory stimulus detectable by any person with a normal sense of smell upon or within any adjacent unit or property, 2) light pollution, glare, or brightness that unreasonably disturbs others in the use or enjoyment of their property, or constitutes a nuisance, or 3) excessive noise. All operations will be conducted within the building on the premises seeking licensure and thus, odors, light, and noise will not be perceptible from the exterior of the building.**
  - i. Odor Mitigation: See above Section II(c) for Emerge’s odor control plan.**
  - ii. Light Mitigation: All lighting will be contained within the facility and will not disturb enjoyment of any neighboring properties. The exterior lighting of outside walls is required per Hayden’s Municipal Code.**
  - iii. Noise Mitigation: There will be no excessive noise generated by the operation. Any noise that is generated by the operation will be contained within the building.**
  
- f. The marijuana cultivation facility will have a ventilation and odor control system (a closed system that employs carbon filters individually treating each room) that is adequate for the size of the facility. Such system is designed to effectively eliminate odors from escaping the facility, so no person outside of the facility should sense any unusual odors. Emerge engaged professional marijuana cultivation consultants, Ideal Harvest, to design an effective odor control plan specific to its Hayden building.**
  
- g. Marijuana plants will not be cultivated, produced, processed, or possessed in any accessory structures. All plants will be located in the building constructed on the premises.**
  
- h. The cultivation, production, processing, or possession of marijuana plants does meet the requirements of all adopted Town building and life/safety codes. When necessary, Emerge has engaged in consultation with town officials throughout the permitting application process.**
  
- i. The use of any compressed flammable gas as a solvent in the extraction of tetrahydrocannabinols or other cannabinoids will not be used in the marijuana cultivation operations.**

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- j. The total load for a single branch circuit will not exceed the ampacity for the entire cultivation area within the building. See above Section II(e) for further details on the facility's expected electrical usage.
- k. Marijuana waste will be rendered unusable prior to leaving the facility by grinding and incorporating the material with non-consumable solid wastes such as soil and bleach. A gas-powered grinder will be used on-site. Once waste is made unusable and unrecognizable, Emerge will dispose of the retail marijuana waste in a secured waste receptacle solely in Emerge's possession and control, and Twin Enviro Services will dispose of such waste. See above Section II(b) for further details regarding Emerge's waste plan.
- l. Cultivation facilities are not located within 500 feet of any public or parochial school or the principal campus of any college, university, or seminary, any public park, or any commercial child care center. See attached *Exhibit C* for Vicinity Map.
- m. Retail marijuana cultivation uses will not operate in a manner that adversely affects the public health, safety, and welfare of the immediate neighborhood in which the retail marijuana cultivation use is located. The business is committed to consistently function in a manner that complies with all local and state regulations, is a good neighbor to the Town of Hayden, and provides economic benefits to the local population.

**V. Fulfillment of Emissions Criteria**

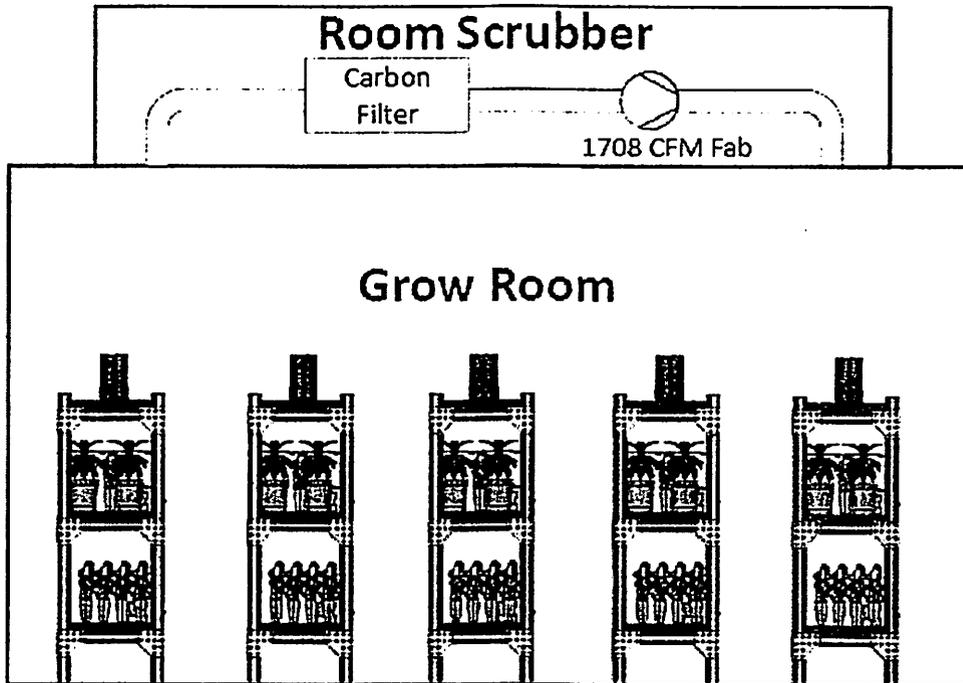
Emerge will, at all times, provide sufficient measures and means of preventing smoke, odors, debris, dust, fluids, or other substances from exiting the cultivation facility.

In the event that any odors, debris, dust, fluids, or other substances exit the cultivation facility, Emerge will clean up and correct such condition immediately and fully. Emerge will always properly dispose of all such materials, items, and other substances in a safe, sanitary, and secure manner and in accordance with all applicable federal, state, and local laws and regulations.

As described above, the ventilation and odor control system employed will be adequate for the size of the cultivation facility to effectively eliminate the pungent odor from the operation so that the odor does not migrate in and around the marijuana cultivation site and is not detected by a person with a normal sense of smell at the exterior of the premises, in the surrounding neighborhood, and/or in adjacent units. As described earlier, the odor control system has been specifically designed for the facility by professional marijuana cultivation consultants, Ideal Harvest.

**EXHIBIT A**

**ODOR CONTROL SYSTEM**





*Town of Hayden*

**Planning Commission**

**Staff Report**

**Project:** Emerge Farms Conditional Use Permit (CUP)  
**Address/Location:** 401 & 411 Capital Street/Valley View Business Park, Lots 28 & 29  
**Applicant:** Mr. Michael McCannon, on behalf of Emerge Farms, LLC.  
**Prepared by:** Ross Culbertson, Hayden Consulting Planner  
**Hearing Date:** September 8, 2016

**Background**

The applicant has submitted a request to establish a Conditional Use Permit (CUP) for a 9,115 square foot warehouse facility for marijuana cultivation and growing within an existing building on approximately 0.86 acres of land. The property is located on the north side of Capital Street, west of Commerce Street (within the Valley View Business Park, Lots 28 & 29). Emerge Farms will own, operate, and repurpose the existing two-story industrial office building on the property for this use. The encompassing Valley View Business Park was designed to accommodate independent industrial businesses. The existing industrial building is zoned within a Light Industrial (I-1) district which permits marijuana cultivation operations with approval of a CUP.

The proposed business will be housed within the building's first-floor office section and the vaulted two-story open warehouse area containing 7,241 square feet and a second floor office suite having 1,874 square feet. The first-floor operations will be divided to contain four flower rooms, a vegetative room for plant maturation, a trimming and mother room, a drying room, product storage and packaging areas and an internal reception/administration room. The second floor will house an employee breakroom, security/surveillance office, and manager's offices. The upstairs space will be secured from operations below. Outside the building, the property contains an existing six-foot high chain-linked fence which was previously used for outside storage and will now enclose a secured shed for grinding and composting plant waste materials. Please refer to the Site Plan, Floor Plan and Building Elevation exhibits attached to this report for further details of the building's operation and site layout.

***Zoning and Land Use***

The subject property is zoned Light Industrial (I-1) and all adjacent lots within the industrial park are zoned Light Industrial:

**North:** Property to the north across Crandell Avenue (Hayden Cemetery) is zoned Agriculture and Forestry (AF) under Routt County Jurisdiction.

**South:** Property to the south is vacant and zoned Light Industrial within the Valley View Business Park.

**East:** Property to the east is vacant and zoned Light Industrial within the Valley View Business Park.

**West:** Property to the west is developed as an industrial use with outside storage and is zoned Light Industrial within the Valley View Business Park.

### **State of Colorado Constitutional Amendment for Marijuana**

*Amendment 64 (Article XVII, Section 16)* - The State of Colorado adopted Amendment 64 to the Colorado Constitution on December 10, 2012, after the November 6, 2012, State ballot initiative; authorizing the use, possession, growth, transport and transfer of marijuana in limited amounts and under limited circumstances, and further authorizes the conduct of business to cultivate, produce, test and sell marijuana and marijuana products.

*Title 12-43.3-202, Colorado Revised Statutes (C.R.S)* - This Subsection of the State Statutes defines application of the Colorado Medical Marijuana Code as amended from time to time, and any rules or regulations promulgated thereunder.

*Title 12-43.4-202, Colorado Revised Statutes (C.R.S)* - This Subsection of the State Statutes defines application of the Colorado Retail Marijuana Code as amended from time to time, and any rules or regulations promulgated thereunder.

### **Town of Hayden's Marijuana Ordinances**

*Ordinance No. 666* - The Hayden Town Council passed, approved, and ordered published this Ordinance on August 6, 2015; permitting, regulating and licensing the cultivation of retail and medical marijuana under limited circumstances and making conforming amendments to Subsections 8.08.080.A, to Sections 8.35.010, 8.35.040, 16.03.040.I.3, and 16.03.040.J.3, and to Titles 5 and 16 of the Hayden Municipal Code. Additionally, a Special Municipal Election was held on January 26, 2016 and voters confirmed support for the Town's Marijuana Ordinance.

*Ordinance No. 668* - The Town Council passed, approved, and ordered published this Ordinance on September 3, 2015; imposition of an excise tax of 7.5 percent in 2016 and up to 15 percent thereafter on the wholesale of marijuana and contingent upon elector approval, amending the Hayden Municipal Code.

### **Staff Analysis**

Staff has worked with the applicant and his consultants to thoroughly review the project in accordance to all applicable codes. In determining the appropriateness of the proposed use, staff evaluated the CUP based upon the criteria listed within the Town's Marijuana Ordinance No. 666, in addition to general compliance review under the Conditional Use Review Criteria of the Hayden Land Use Code, Section 16.03.070.C. Below are *italicized* criteria sections from the guiding Marijuana Ordinances and staff's analysis of the CUP's compliance.

### ***Ordinance No. 666 CUP Compliance for Non-Residential Cultivation***

**Section 14.080** identifies Non-Residential Cultivation Restrictions and compliance criteria for marijuana grow facilities in the Town of Hayden:

*A. It shall be unlawful to possess or cultivate more than 12 marijuana plants on any premises or within any structure in any zone district in the Town without an approved Conditional Use Permit and without the license required for such a cultivation facility under Chapter 5.22 of this Code.*

The applicant is requesting to cultivate 1,800 plants under a *Tier-1* facility and has applied and recently been granted a state license documenting the same. Approval of a CUP is required to cultivate over the minimum threshold of 12 plants. The CUP will not take effect until the state license is issued.

*B. It shall be unlawful for any person who owns, manages, operates or otherwise controls the use of any premises to allow more than 12 marijuana plants to be possessed or cultivated on the premises without approval of a Conditional Use Permit and without the license required for such a cultivation facility under Chapter 5.22 of this Code.*

The applicant will own, manage, and operate a facility that processes 1,800 plants under a *Tier-1* facility. A state license documenting the same has recently been granted. Approval of a CUP is required to possess or cultivate over the minimum threshold of 12 plants. The CUP will not take effect until the state license is issued.

*C. It shall be unlawful to cultivate marijuana outside of a completely enclosed locked structure.*

- 1. Nothing in this section shall be construed to allow the cultivation of marijuana in any number, manner, or location that is in conflict with the cultivation restrictions imposed in this Article within single family and multi-family residential dwelling units.*
- 2. For purposes of this section:*
  - a. "Completely enclosed locked structures" means a structure as defined by the zoning code accessible only to the persons cultivating the marijuana through one or more doors secured by a locked mechanism designed to limit access such as with a key or combination lock, and with walls and roofing that must be constructed of solid materials. Such structure must remain secure at all times and any window must be locked to prevent access by children, visitors, or a casual passerby.*
  - b. "Cultivate" means the planting, growing, harvesting, storing, drying, trimming, or processing of marijuana plants.*

The applicant's Site Plan and Building Plan indicate the new structure is an enclosed and secured building. Public access is limited to only the reception room which will have badge and controlled key access to interior portions of the building. Fire doors will have "panic hardware" for egress from inside the building only. All doors and windows will have alarm and video surveillance. Additionally, the building's exterior windows will be modified with window tints and fitted with security bars on the inside of the window opening for added security. The applicant has consulted with Canna Security America to provide a security package that includes exterior building cameras and a system interior camera located in each operational room which may contain fish-eyed lens cameras, and internet protocol cameras at windows, doors, and inside product rooms. Video feeds will be available for review on site and digitally via a MED system. Additional building details and security specifications will be made with a future

Building Permit. Please refer to the attached Security Floor Plan Exhibit for camera locations and the applicant's CUP Narrative for further details.

*D. The marijuana plants must be cultivated, produced, processed and possessed within the building approved as part of a Conditional Use Permit process.*

The applicant's Site Plan and Building Plan indicate all plant cultivation, production, and processing will be solely within the building envelope. The proposal is in compliance to this standard.

*E. The cultivation, production, processing and possession of marijuana plants must not be conducted in an open and public manner meaning it must not be perceptible from the exterior of the building on the subject site, and such activity shall not cause or create any of the following:*

- 1. Regularly occurring or persistent unusual odors, smells, fragrances, or other olfactory stimulus detectable by any person with a normal sense of smell upon or within any adjacent unit or property;*

The business will implement and operate a "closed loop" system for air purification. There will be no exhaust air leaving the facility at any time. The HVAC system will incorporate use of 12-inch fans located in grow rooms, vegetative areas, transplant areas, and hallways to circulate air throughout the building. Air molecules will be cleaned and mitigated for odors by Active Carbon Filtering. The applicant will use Phat Filters (can filters) which is listed to have the highest certified adsorption yielding carbon on the market. The process of Adsorption differs from basic absorption by a process of molecular adhesion of gas, liquid, or atoms which are accumulated on the surface of the adsorbent material. A general Absorption process allows a fluid to permeate or be dissolved by a liquid or solid. The Adsorption yield number from can filters indicates a greater capacity of the filter unit to absorb odor. Please refer to Item "F" below for more details.

- 2. Light pollution, glare, or brightness that unreasonably disturbs others in the use or enjoyment of their property, or constitutes a nuisance; or*

The applicant's Exterior Lighting Plan and Building Elevations indicate a comprehensive security lighting system with down-lit fixtures. The building will use existing wall lights connected to the building's exterior as indicated by fixture "Type A" (Axis LED Wall Pack) on the Exterior Lighting Plan. Exterior side walls that have limited original security lighting will be enhanced with additional building sconces shown as "Type B" (Evolve LED Area Light Wall Pack) fixtures. The applicant will also include 16 new 15-foot high light pole fixtures identified as "Type C" (Evolve LED Area Light N Series) to illuminate parking areas and the fence compound. Type C fixtures will be activated by motion sensors. The secured shed for plant waste grinding will be fit with Type B fixtures. A Photometric Lighting Plan will be submitted with a future Building Permit to verify light levels at the property line so as not to become a nuisance to the community. Please refer to the Exterior Lighting Plan and product sheet for more details.

- 3. Excessive noise.*

The business will comply with existing Town regulations and limit excessive noise levels.

*F. All marijuana cultivation facilities must employ and maintain ventilation and odor control that is adequate for the size of the facility to effectively eliminate odor from the facility escaping the facility so as to be detected by a person with a normal sense of smell at the exterior of the premises, in the surrounding neighborhood or in adjacent units.*

The applicant has contracted with Ideal Harvest, a professional marijuana consultant, to implement and operate a closed loop system for air purification. There will be no exhaust air leaving the facility at any time. The building's entry is designed with a dual vestibule system as one passes from the entry to reception/administration area. All of the HVAC equipment will recirculate 100% of the supply air being distributed to the various application areas throughout the facility. Active carbon filtering (by: Phat Filters-12", 1700 CFM) will be installed to mitigate odors within the facility. To the extent possible, the odor mitigation is intended to mitigate odor migration to the outside of the building and surrounding areas. The applicant will utilize 12-inch fans moving 1708 cubic feet per minute (CFM) of air through the 1700 CFM Phat Filters for; grow rooms, vegetative areas, material access rooms, transplant areas, and connecting hallways. Less intensive areas such as a trim room, dry and cure rooms, office areas, and main entry areas will use 8-inch fans to move 667 CFM of air through 950 CFM carbon filters to match the square footage for volume of air cleaned and purified. The applicant will follow all manufacturer specifications of the Phat Filters to ensure optimum performance and will test filters every six months to verify integrity of the filters and replace on an 18-24 month rotation. Please refer to the applicant's attached CUP Narrative for further details.

*G. Marijuana plants shall not be cultivated, produced, processed or possessed in any accessory structure.*

The applicant's Site Plan and Building Plan indicate all plant cultivation, production, and processing will be solely within the building. No accessory structure outside of the enclosed building will be used to house active marijuana plants. An accessory structure within a fenced yard is proposed to grind and compost inactive plant material only. The proposal is in compliance to this standard.

*H. The cultivation, production, processing or possession of marijuana plants shall meet the requirements of all adopted Town building and life/safety codes.*

The CUP is being reviewed under the guiding Town Codes and Ordinances. Applicable Building Codes will be applied to the facility with a future Building Permit review.

*I. The use of any compressed flammable gas as a solvent in the extraction of tetrahydrocannabinols or other cannabinoids is prohibited.*

The applicant's Building Plan and project narrative indicates this operation will not use any compressed flammable gas for extraction method. The proposal is in compliance to this standard.

*J. The total load for a single branch circuit shall not exceed the ampacity for the entire cultivation area within the building.*

The applicant has consulted with Yampa Valley Electric Association regarding the electric needs of this operation. The applicant is coordinating with YVEA on a list of operational equipment to determine the

building's full electric power needs. Yet due to the substantial power provided to the Valley View Business Park, it is expected that the electric load for this business will not exceed ampacity. The proposal is in compliance to this standard.

*K. Marijuana waste shall be rendered unusable prior to leaving the facility by grinding and incorporating the material with non-consumable solid wastes such as food waste, soil or other compostable materials.*

The waste by-products, consisting of stems and fan leaves from the plant materials, will be rendered unusable by grinding and mixing with a 50/50 ratio with bleach, soil or other compostable materials. A gas powered grinder will be used on-site to grind up the excess plant material. The grinder will be stored inside a secured shed protected and monitored within the six-foot high chain-linked fences beside the parking area. Once waste is rendered unusable and unrecognizable, the applicant will store composted waste in a secured and locked receptacle on-site until transported by Twin Enviro Services (a waste management company) who will deposit composted waste at a certified facility for storage or revegetation.

*L. Cultivation facilities shall not be located with 500 feet of any public or parochial school or the principal campus of any college, university, or seminary; any public park; or any commercial child care center. Distances described in this paragraph shall be calculated by measuring the distance from the nearest property line of the school, park or commercial child care center to the building in which the medical marijuana center is located.*

The subject site for the cultivation operation is within an industrial business park and does not have proximity to nor is located within 500 feet of any existing or planned school, park, or commercial child care center. The proposal is in compliance to this standard.

*M. Retail marijuana cultivation uses shall not operate in a manner that adversely affects the public health, safety, and welfare of the immediate neighborhood in which the retail marijuana cultivation use is located.*

The subject site and the business operation has been reviewed and evaluated for any conditions that may affect the public. The site is located within the Valley View Business Park on the eastern edge of the town of which Emerge Farms would be the third marijuana cultivation facility in this development. Valley View Business Park does contain industrial live-work units approximately 700 feet southwest of the subject site which accommodates small residential studios above ground-floor business space. The Town is not aware of any opposition by these residents to marijuana grow uses in this development. The Vista Verde Subdivision is the next closest neighborhood at approximately 700 feet to the nearest residential property and the third closest is the senior living center at approximately 820 feet north of this subject site. The proposed marijuana cultivation use will have limited immediate impacts on adjacent neighborhoods. The proposal is in compliance to this standard.

***Ordinance No. 666 CUP Compliance for Non-Residential Cultivation***

**Section 14.090** identifies Control of Emissions and compliance criteria for marijuana grow facilities in the Town of Hayden:

*In accordance with Town of Hayden Code Title 8: Health and Safety Section 8.08 Nuisances, sufficient measures and means of preventing smoke, odors, debris, dust, fluids, and other substances from exiting a cultivation facility must be provided at all times. In the event that any odors, debris, dust, fluids or other substances exit a cultivation facility, the owner of the subject premises and the licensee shall be jointly and severally liable for such conditions and shall be responsible for immediate, full clean-up and correction of such condition. The licensee shall properly dispose of all such materials, items and other substances in a safe, sanitary and secure manner and in accordance with all applicable federal, state, and local laws and regulations.*

The applicant will provide sufficient measures and means to control and prevent smoke, odors, debris, dust, fluids, or other substances from exiting the cultivation facility. The facility will generally produce three categories of waste; liquid, plant, and soil. **Section 14.080.K** above, states the applicant's compliance to rendering plant and soil wastes inactive. Concerning water or liquid waste, the facility will produce general bathroom waste water, irrigation runoff and cleaning waste water which is expected to be 15% of the weekly water consumption. The dissolved solid composition would primarily have concentrations of existing mineral profiles from the municipal water supply, mixed fertilizer salts, small amounts of organic materials that escape the grow containers and minimal traces of organic pesticides. Waste water profiles will be monitored for conformance to the *MED Permanent Rules Section R307 Waste Disposal Section A, for All Applicable Laws and Section B, for Liquid Waste*. The Town's Building Inspections Official will require a wastewater sampling point be installed in the sewer service and sewer pipe during a Building Permit review for monitoring.

*All cultivation facilities must employ and maintain ventilation and odor control that is adequate for the size of the facility to effectively eliminate the pungent odor from the operation so that the odor does not migrate in and around the marijuana cultivation site and is not detected by a person with a normal sense of smell at the exterior of the premises, in the surrounding neighborhood and/or in adjacent units.*

**Section 14.080.E.1 and F** (in above sections of this report), describes the applicant's compliance measures to mitigate and filter internal air for odor elimination. The applicant is aware the facility will be under monitoring by the Town's Chief of Police and its citizens and is confident in the expected performance of the Active Carbon Filtering system to control odors from lingering outside of the facility and affecting the public air.

***Conditional Use Review Criteria of the Hayden Land Use Code***

**Section 16.03.070.C** of the Hayden Land Use Code lists the following criteria to evaluate Conditional Use Permits (CUP's):

- 1. The conditional use will satisfy all applicable provisions of the zoning code and subdivision regulations unless a variance is being requested.*

The requested use meets all applicable sections of the Hayden Codes. The use is proposed on property that has been platted and is recorded as such with Routt County. The use will be applied to the existing industrial building on the property of which all interior space planning to repurpose the building will follow all Building Code regulations. The CUP Site Plan has been reviewed to meet all applicable sections of the zoning code and no variances are necessary. The proposal is in compliance to this standard.

2. *The conditional use will conform with or further the goals, policies and strategies set forth in the Town of Hayden Comprehensive Plan.*

The requested use is not specifically addressed within the goals, policies and strategies within the Hayden Comprehensive Plan. However, this use does contribute to policy statements found within Section 3.2: *Fiscally Balanced Growth*, and Section 4.1: *Stage One Growth – Business/Light Industrial Uses*. The proposal is in compliance to this standard.

3. *The conditional use will be adequately served with public utilities, services, and facilities (i.e. water, sewer, electric, schools, street system, fire protection, public transit, storm drainage, refuse collection, parks system, etc.) and not impose an undue burden above and beyond those of the permitted uses of the district.*

The requested use will continue to be served by the Town's public utilities and public services; being located within an existing building on site. Any public complaints or inquiry into violations to the Town's Ordinances for this use will be met with swift investigation by town authorities and proper communication made to the owner and or operator for compliance measures.

4. *The conditional use will not substantially alter the basic character of the district in which it is in or jeopardize the development or redevelopment potential of the district.*

The requested use is located within the Valley View Business Park (an industrial park) and is compatible with adjacent uses and does not jeopardize additional development. The existing building's exterior will not be altered and the basic character of the district will be preserved. It would be advisable to locate future marijuana cultivation business within this industrial development, as the area is zoned appropriately and accommodates the necessary infrastructure requirements for this type of use. A recently approved, but not yet operational, cultivation business is located in this business park on Lot 26.

5. *The conditional use will result in efficient on- and off-site traffic circulation which will not have a significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.*

The requested use and its accompanying site plan indicate all vehicular access and movement will be on-site and will not adversely impact adjacent properties. The proposal is in compliance to this standard.

6. *Potential negative impacts of the conditional use on the rest of the neighborhood or of the neighborhood on the conditional use have been mitigated through setbacks, architecture, screen walls, landscaping, site arrangement or other methods. The applicant shall satisfactorily address the following impacts:*
  - a. *Traffic; activity levels; light; noise; odor; building type, style and scale; hours of operation; dust; and erosion control.*

The requested use has been reviewed in conjunction with a Site Plan and Building Elevations which were vetted in compliance to the Land Use Code, Article 2 – Community Design Standards, and

Article 3 – Zoning. The existing building will house all components of the marijuana cultivation business and was designed as a general office building. The building’s façade treatments are non-descriptive so as not to bring undue attention to its new operation. No additional screening of the use is required within the Light Industrial zoning district. The proposal is in compliance to this standard.

7. *The applicant has submitted evidence that all applicable local, state and federal permits have been or will be obtained.*

The applicant is in process of obtaining both a local and state marijuana cultivation facility license which must be issued prior to operating the facility.

**Referral Agency and Department Comments**

The proposed CUP request was referred to the following agencies for a development review:

1. Planning Consultants: Planning review of the CUP request (including exhibits) is complete.
2. Public Works Department (incl. Water, Sewer, & Streets): Review of the CUP request is complete. Town services are currently being supplied to the existing building on the property.
3. Building Inspections Consultants: Review of the CUP request is complete. A more thorough review of building plans will be made at the time of future commercial building permits.
4. Fire District: Review of the CUP request is complete.
5. Police Department: Review of the CUP request is complete.
6. Engineering Consultants: Review of the CUP request is complete. A more thorough review of civil engineering plans will be made at the time of future commercial building permits.

**Staff Recommendation**

Based on the above observations and findings of compliance with the Hayden Land Use Code and Hayden Marijuana Ordinance No. 666; staff recommends:

**Approval** of the Conditional Use Permit for the Emerge Farms marijuana cultivation facility subject to the following conditions:

1. Approval of a future Building Permit.
2. Approval of a State of Colorado Marijuana Cultivation Facility License.
3. Approval of a Town of Hayden Marijuana Cultivation Facility License.

**Planning Commission Recommending Options**

The Planning Commission may choose to:

1. Recommend to the Town Council approval as submitted with staff’s conditions.
2. Recommend to the Town Council approval subject to staff conditions and additional Planning Commissioned Conditions.
3. Recommend to the Town Council project denial.

**Attachments**

Application	Exterior Lighting Plan & Product Cut Sheets
Site Plan	Security Floor Plan Exhibits
Building Plans & Elevations	CUP Narrative & Odor Control Exhibit

## RESOLUTION 2016-30

### **A RESOLUTION OF THE TOWN COUNCIL FOR HAYDEN, COLORADO APPROVING A CONDITIONAL USE PERMIT FOR 401 and 411 CAPIT ST, LOT 28 & 29, VALLEY VIEW MICHAEL DON MCCANNON, STEVE DIETRICH AND STEVE HERRON D/B/A EMERGE FARMS, LLC**

#### RECITALS

1. Don McCannon, Steve Dietrich and Steve Herron d/b/a Emerge Farms LLC desires to operate a marijuana cultivation facility at 401 and 411 Capital St, Lot 28 & 29, located in the Light Industrial District (I-1).
2. Licensed marijuana cultivation facilities are permitted in the (I-1) as a conditional use if approved by the Town Council following review and recommendation(s) by the Planning Commission and the holding of a public hearing by the Town Council.
3. The Planning Commission met on September 8, 2016 with the petitioners to review the Conditional Use criteria of the Hayden Town Code Section 16.03.070.C and Ordinance 666 and determined:
  - A. The requested conditional use will satisfy all applicable provisions of the zoning code and subdivision regulations.
  - B. The requested conditional use will conform with or further the goals, policies and strategies set forth in the Town of Hayden Comprehensive Plan.
  - C. The requested conditional use will be adequately served with public utilities, services, and facilities (i.e. water, sewer, electric, schools, street system, fire protection, public transit, storm drainage, refuse collection, parks system, etc.) and will not impose an undue burden above and beyond those of the permitted uses of the district.
  - D. The requested conditional use will not substantially alter the basic character of the district in which it is in or jeopardize the development or redevelopment potential of the district.
  - E. The requested conditional use will result in efficient on- and off-site traffic circulation which will not have a significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.
  - F. Potential negative impacts of the conditional use on the rest of the neighborhood or of the neighborhood on the conditional use have been mitigated through setbacks, architecture, screen walls, landscaping, site arrangement or other methods. The applicant shall satisfactorily address the following impacts: traffic; activity levels; light; noise; odor; building type, style and scale; hours of operation; dust; and erosion control, as set forth in Ordinance 666.
  - G. The applicant has submitted evidence that all applicable local, state and federal permits have been or will be obtained.
4. The Planning Commissioners recommended to the Town Council approval of the Conditional Use Permit subject to the following conditions:
  - A. Approval of a future Building Permit.
  - B. Approval of a State of Colorado Marijuana Cultivation Facility License.

C. Approval of a Town of Hayden Marijuana Cultivation Facility License.

5. The Hayden Town Council held a public hearing on the conditional use application. A conditional use permit is revocable, may be granted for a limited time period, or may be granted subject to conditions as the Council may prescribe. Conditions may include, but shall not be limited to: satisfaction of the requirements contained in paragraph 4, above, requirements concerning special setbacks, open spaces, fences or walls, landscaping or screening, street dedication and improvement, regulation of vehicular access and parking, signs, illumination, hours and methods of operation, control of potential nuisances, prescription of standards for maintenance of buildings and grounds, and prescription of development schedules.

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

Section 1. That the Town Council held a public hearing on the conditional use application at 7:30 p.m. on the 6<sup>th</sup> day of October 2016.

Section 2. That the Town Council approves the conditional use application subject to the following conditions:

- A. Approval of a future Building Permit.
- B. Approval of a State of Colorado Marijuana Cultivation Facility License.
- C. Approval of a Town of Hayden Marijuana Cultivation Facility License.

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

**PASSED, APPROVED, AND RESOLVED THIS 6<sup>th</sup> DAY OF OCTOBER 2016.**

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James M. Haskins, Mayor

ATTEST:

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Sharon Johnson, Town Clerk



## **Town Council Agenda Item**

MEETING DATE: 10-06-2016

AGENDA ITEM TITLE: Support for West Routt Fire Protection District in obtaining a USDA Grant

AGENDA SECTION: New Business

PRESENTED BY: Greg Tuliszewski / Chief Dal Leck

CAN THIS ITEM BE RESCHEDULED: Not recommended

### **BACKGROUND REVIEW:**

The West Routt Fire Protection District needs to replace their current heavy rescue ladder truck, which is 37 years old. This piece of equipment is a vital part of WRFPD ability to respond to varied and diverse types of calls. Given the age of this vehicle, the safety features and indeed finding parts to keep it operational is a constant challenge. The cost of a replacement vehicle, with the proper equipment is approximately \$950,000.00

WRFPD provides both firefighting and emergency medical responses to the Town of Hayden and the surrounding area. They dedicate and volunteer many hours of service and training in order to accomplish this mission. In order to fund the replacement of this equipment the WRFPD has sought out a grant from the U.S. Department of Agriculture. One of the requirements to qualify for this grant is letters of support from the different areas that WRFPD services and responds to. The purpose of this letter is to A) indicate that the Town is supportive of the WRFPD efforts to seek this grant assistance and B) to have the opportunity to provide comment in reference to this grant.

MANAGER'S RECOMMENDATION/COMMENTS: It would be my recommendation that the Council approve a letter of support, to be signed by the Mayor, expressing the Town's support of WRFPD efforts to enter into the Grant Process in order to endeavor to obtain the grant funding needed in order to purchase this needed piece of equipment.

## **West Routt Fire Protection District**

500 South Poplar Street

P. O. Box 1324

Hayden, CO 81639

970-276-3511

### **Intergovernmental Review Consultation**

Dear Honorable Mayor and Council members :

September. 16 2016

The U.S. Department of Agriculture, Rural Development [Rural Housing Service/Rural Business Service/Rural Utilities Service] (Agency) is initiating the Executive Order 12372, "Intergovernmental Review of Federal Programs," process in order to obtain feedback and concurrence from interested parties on financing a proposal. The Agency is being asked to consider providing financial assistance for the proposal described below. Because this state does not have a State Point of Contact, this letter shall serve as your invitation to comment on this proposal.

Please complete the attached form and send any comments on this proposal or your letter of concurrence directly to the Agency at P.O. Box 1324, Hayden, CO 81639. If you choose not to respond within 60 days of this correspondence, the Agency will assume that you have chosen not to respond and may proceed with its decision. If you have any questions concerning this proposal, please contact : Dal Leck, Chief /WRFPD, [westroutt77@aol.com](mailto:westroutt77@aol.com), Office 970-276-3511, Cell 970-757-1954.

Sincerely,

  
Dal Leck

Attachment 1: Proposal's Description and Maps [All items listed below must be included as attachments]

- 1) Project Description : The West Routt Fire Protection District (WRFPD) would like to replace their heavy rescue truck, with a rescue ladder truck. The current truck is 37 years old and even though it does get out the door and make it to the scene it does not afford our responders the same safety features as the newer equipment. The purchase of a new truck is about \$950,000.00 with hoses, ladders, and other equipment needed for a rescue truck.
- 2) Environmental Information: This Rescue Ladder Truck would comply with the current highway emissions standards.
- 3) USGS Topographical Map: N/A this is an equipment purchase.

USDA Rural Development Intergovernmental Review Consultation Form

Project Name: Rescue Ladder Truck

- 1) Is the proposal consistent with State or local government planning goals?  
 Yes       No
- 2) Does the proposal duplicate, run counter to, or need to be coordinated with other activities, or might it be revised to increase its effectiveness?  
 Yes       No
- 3) Will the proposal contribute to achieving state or local government goals relating to natural and human resources or economic and community development?  
 Yes       No
- 4) Are there environmental impacts and alternatives that should be considered in the Agency's environmental review?  
 Yes       No
- 5) Will the proposal influence area growth or delivery of services, including any disproportionate effects on minority groups?  
 Yes       No
- 6) Will the proposal impact energy resource supply and demand?  
 Yes       No
- 7) Will the proposal displace people or businesses?  
 Yes       No
- 8) Will the proposal be located in a Coastal Zone or Coastal Barrier Resource Area and is it consist with any State coastal management plan?  
 Yes       No

Comments:  
SEE ATTACHED LETTER

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Signature/Title      Town of Hayden  
                                         Town Manager

9/22/2012



U.S. Department of Agriculture

Rural Development

Re: Federal Funding/Grant for the replacement of Heavy Rescue Truck

Date: October 6<sup>th</sup>, 2016

Dear Sir/Madam,

The Town of Hayden would like to express and advise you of its support of the West Routt Fire Protection District and its endeavor to replace a badly worn and outdated piece of necessary and needed item of Fire Equipment.

The West Routt Fire Protection District provides emergency first response services to the Town of Hayden (population approximately 1800) and the surrounding areas, including the regional commercial aviation airport. The West Routt Fire Protection District goes above and beyond in providing exceptional professional service in trying to meet the needs of the community it responds to.

The WRFPD is in need of replacing their 37 year old Heavy Rescue Truck with a Rescue Ladder Truck. The age of the current Heavy Rescue Truck, not only presents safety concerns for the first responders, but also presents reliability concerns, due to its age.

The cost of replacing such a needed and vital piece of emergency response equipment is prohibitive for the West Routt Fire Protection District. Therefore the Town of Hayden fully supports the efforts of the WRFPD in seeking a grant and federal assistance in replacing this Heavy Response Truck with a Heavy Rescue Ladder Truck.

Sincerely,

James M. Haskins

Mayor, Town of Hayden

178 West Jefferson Avenue • P.O. Box 190 • Hayden, CO 81639-0190  
(970) 276-3741 • Fax (970) 276-3644  
[www.townofhayden.org](http://www.townofhayden.org)



## **Town Council Agenda Item**

MEETING DATE: 10-06-2016

AGENDA ITEM TITLE: Support Letter for Routt County Fairgrounds Grant Proposal

AGENDA SECTION: New Business

PRESENTED BY: Greg Tuliszewski / Jill Delay

CAN THIS ITEM BE RESCHEDULED: Not recommended

### **BACKGROUND REVIEW:**

The Routt County Fairgrounds was unsuccessful in their grant proposal last year and is in the process of re-submitting a grant application to Great Outdoors Colorado (GOCO) to acquire funding for improvements to pedestrian traffic patterns, ADA accessibility, new pedestrian bridge, electrical upgrades, volleyball courts, and nine full-service RV site (including landscaping and lighting) as prioritized in the 2010 Master Plan Update. To strengthen the grant application in this competitive process, they would greatly appreciate a letter of support from the Town Of Hayden.

Improvements to the Routt County Fairgrounds are improvements for the Town of Hayden. Not only do many of our residents take advantage of the Fairgrounds and their location within the Town, but the economic benefit to the Town whenever the Fairgrounds holds an event, or during the annual County Fair is evident.

### **RECOMMENDATIONS:**

**MANAGER'S RECOMMENDATION/COMMENTS:** It would be my recommendation that the Council approve a letter of support, to be signed by the Mayor, expressing the Town's support of Routt County Fairgrounds Grant Process with the Great Outdoors Colorado in order to obtain the grant funding needed to proceed with the priorities listed in the Routt County Fairgrounds Master Plan.



Great Outdoors Colorado

Re: GOCO Grant for Master Plan Improvements of the Routt County Fairgrounds

Date: October 6<sup>th</sup>, 2016

Dear Sir/Madam,

The Town of Hayden would like to express and advise you of it's support of the Routt County Fairgrounds and their efforts to obtain grant funding for improvements to pedestrian traffic patterns, ADA accessibility, new pedestrian bridge, electrical upgrades, volleyball courts, and nine full-service RV sites (including landscaping and lighting) as prioritized in the 2010 Master Plan Update.

The Routt County Fairgrounds is adjacent to the Town Of Hayden's largest park and the proposed improvements not only improve the public fairgrounds for Routt County, but have a secondary positive impact for the Town of Hayden. The partnership between the Town of Hayden and Routt County, esp through the proximity and location of the Routt County Fairgrounds, which is located within the Town Limits, is of an excellent nature and both entities strive to make improvements and changes with the input and considerations of the overall impact for the users of the facilities.

The Town of Hayden strongly supports the awarding of a grant to fund the proposed improvements to the Routt County Fairgrounds.

Please feel free to contact me with any questions or for further information.

Sincerely,

James M. Haskins

Mayor, Town of Hayden

178 West Jefferson Avenue • P.O. Box 190 • Hayden, CO 81639-0190

(970) 276-3741 • Fax (970) 276-3644

[www.townofhayden.org](http://www.townofhayden.org)



## **Town Council Agenda Item**

MEETING DATE: Oct 06<sup>th</sup> 2016

AGENDA ITEM TITLE: Citizen Request to Council – Land Use Code

AGENDA SECTION: New Business

PRESENTED BY: John St Pierre

CAN THIS ITEM BE RESCHEDULED: At Council's Discretion

### **BACKGROUND REVIEW:**

Contractor John St Pierre submitted a request to discuss with Council the prospect of starting a review process for the Hayden Land Use Code.

In the 2016 budget, which included a three year projection, the cost of reviewing and starting the process of Land Use Code review was included in the proposed 2017 budget. With this in mind Staff gave direction to the Town Planner to begin making notes, and reviewing various areas of the Hayden Land Use code that need attention. Mr. St. Pierre has been made aware of the budget constraints, the planning within the budget, staff direction to the Town planner and the intent to form this committee after the first of the year.

**MANAGER'S RECOMMENDATION/COMMENTS:** It is my recommendation that the Council continue with its' plan of including this in the 2017 budget appropriations and start the process after the first of the year.

REQUEST TO SUBMIT AGENDA ITEM  
FOR HAYDEN TOWN COUNCIL MEETING

MEETING DATE: OCTOBER 6, 2016

AGENDA ITEM TITLE: AFFORDABLE HOUSING IN HAYDEN

PRESENTED BY: JOHN ST. PIERRE PHONE: 846 7735 (Day)  
\_\_\_\_\_ (Night)

BACKGROUND REVIEW/PROPOSAL:

DISCUSSION ON FORMING A COMMITTEE  
CONSISTING OF CITY COUNCIL MEMBERS / PLANNING  
COMMISSION, INTERESTED PERSONS IN TOWN TO  
REVIEW PLANNING & ZONING CODES IN ORDER  
TO UPDATE & CREATE AN ATMOSPHERE THAT  
WOULD MAKE HAYDEN A AFFORDABLE ALTERNATIVE  
FOR HOUSING IN ROUTT COUNTY -  
2ND PHASE WOULD BE A REVIEW OF  
BUILDING CODES.

John St Pierre

Please attach any extra information, including maps, that you wish to have included in the Council packets.



Town Council Agenda Item

MEETING DATE: October 6, 2016

AGENDA ITEM TITLE: Plant Investment Fees

AGENDA SECTION: New Business

PRESENTED BY: Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULED: Preferred Not

(This will be distributed by email prior to the meeting or presented at the meeting)

BACKGROUND REVIEW:

RECOMMENDATION:

MANAGER RECOMMENDATION/COMMENTS:



## Town Council Agenda Item

MEETING DATE: October 6, 2016

AGENDA ITEM TITLE: Plant Investment Fees

AGENDA SECTION: New Business

PRESENTED BY: Greg Tuliszewski

CAN THIS ITEM BE RESCHEDULED: Preferred Not

### BACKGROUND REVIEW:

Over the recent years the Town has adopted an updated and newer plant investment fee schedule. (Water and Sewer Taps) This was done for a twofold reason; 1) was to prepare for the future for potential needed repairs, upgrades, capital improvements, or replacement of both the water or sewer treatment plants; 2) to assist in paying for current infrastructure maintenance, repairs or upgrades.

The lack of business development due to the recession did not provide an opportunity for the recent changes in the plant fee schedule to be put into practice and foresee the impact it could have on businesses attempting to open up in the Town of Hayden. Over the past year, since the voter approved referendum of wholesale marijuana cultivation, the town has seen its first three newer, large scale businesses work their way through the extensive and time consuming process of obtaining their Conditional Use Permits and State and Local cultivation licenses. All three businesses have obtained their CUP's and two are at the point of obtaining permits from the Town in order to begin construction. As part of the building permit process, classifying the type of building and business is a part of charging for the water and sewer tap fees. Currently there is no classification in the Hayden Code Plant Investment Fee schedule for wholesale cultivation facilities. The closest designation

that is in the Hayden Code is "F. Commercial or public buildings used as stores, offices, warehouses, or other similar uses, including small businesses."

The concern that has developed is that in figuring the additional Equivalent Residential Use unit (EQR) for the larger building the pricing on the Water / Sewer tap fees becomes greatly increased. The increase is such that the two businesses about to pull permits are not sure that they can continue forward with their projects.

The following is the Water/Sewer Tap fees associated with the building permits:

	Bayou Breeze sq ft 5,576	Hayden Green Grow sq ft 22,452	Wagner 2015 sq ft 35,621	Wagner - 2016 sq ft 35,621
	Quani Total	Quani Total	Quanit Total	Quani Total
			In-Town Comparison using this computation	
<b>Hayden Municipal Code</b>				
Commercial or public buildings used as stores, offices, warehouses or other similar uses, including small				
1. Each building or customer with 1,500 sqft or less or each 400 sqft or less accompanied 1 living unit	1.0	1	1.00	1
2. Each additional sqft	0.0003	0.00	0.00	0.00
3. Each additional sq ft when used as nonoccupied retail, showroom, shop or warehouse space	0.0002	4076	0.82	20952
4. Each additional pair of public restrooms	0.80	0.00	0.00	0.00
<b>Total EQRs</b>		1.82	5.19	7.82
<b>Plant Investment Fee</b>		\$ 24,024	\$68,508	\$56,334
<b>Chapter 13.08 Plant Investment Fees</b>				\$ 103,279
<b>13.08.001 Customers not Covered by Classification in Section 13.08.010: The Town Board of Trustees will set the Plant Investment Fee for any customer which is not covered by the classification in Section 13.05.010</b>				

Bayou Breeze - \$13,200.00 (Base Water/Sewer Tap Fee) + \$10,761.00 (.82 EQR x \$13,200.00)=\$24,024.00 (.82 EQR is 5576 sqft – 1500 (1EQR) = 4076 sq ft x0.0002 = .82EQR)

Hayden Green Grow - \$13,200.00 (Base Water/Sewer Tap Fee + \$55,308.00 (4.19 EQR x \$13,200.00)= \$68,508.00 (4.19 is 22452 sq ft – 1500 (1EQR)=20952 sq ft x0.0002 = 4.19 EQR's)

The developers have requested relief / assistance from the Town with regards to the additional amounts over and above the base Water / Sewer Tap Fees. None of the proposed businesses can definitely state how much water their business will use on a monthly or annual basis and Staff's research has not been able to determine this number either, as the wholesale cultivation is new in its development. The other municipalities contacted have retail tied to the grow operations and grow operations are not separated out for water usage. All developers are using a "closed irrigation/water" system which involves recycling/re-using water as much as possible and minimizing the need for new water. This is based upon a cost savings to the developer as a means of keeping over-head to a minimum.

Comparisons:

		<u>Plant Investment Fees</u>			
		<u>Water</u>	<u>Sewer</u>	<u>Total</u>	
<b>Craig</b>	<b>Water Tap based on Tap Size - 1 1/2"</b>	\$ 8,540	\$ 4,780	\$ 13,320	
	2"	\$ 13,660	\$ 7,650	\$ 21,310	
	3"	\$ 27,330	\$ 15,300	\$ 42,630	
<b>Oak Creek</b>	<b>1"</b>	\$ 6,000	\$6,000	\$12,000	
<b>Mt Werner</b>	<b>1"</b>	\$8,134	Unknown	?	(Bayou Breeze - Based on SqFt)
<b>Mt Werner</b>	<b>3"</b>	\$22,900	Unknown	?	Hayden Green Grow - Based on SqFt

**MANAGER RECOMMENDATION/COMMENTS:**

Plant Fees are needed not only for current needs and repairs but in planning for the future; however the future also requires new business development and growth. The Town Council has stated the policy of "Growth must pay its own way" but it has also sought partnerships with new businesses, and encouraged the development of local businesses so as to support the needs and growth of the Town. Staff's recommendation to Council is as follows:

- Develop a separate classification under the Plant Investment Fee schedule for Wholesale Cultivation facilities based upon one of the following:
  - o Current formula – \$13,200.00 (Base water/sewer tap fee) + additional sqft above base 1500 sq ft x0.0002

- o Current Formula - \$13,200.00 (Base water/sewer tap fee) + additional sqft above base 1500 sq ft x0.0002; broken into two installments of \$13,200.00 (base water / sewer tap fee to cover Town's investment)at time permits are pulled and remainder to be paid in full prior to issuance of any form of C.O. – No Temp C.O. allowed / No business allowed to open prior to payment in full.
- o \$13,200.00 (Base water / sewer tap fee) + \$6,800.00 (Flat fee for Wholesale cultivation facility) = \$20,000.00 (possibly subject to same payment schedule in bullet #2 at Council discretion)

- 13.08.020 Individual Fees for Water Tap or Sewer Tap Designated.
- 13.08.030 Charges Limited to a Certain Size Service Lines.
- 13.08.040 Advance Payment Required.
- 13.08.050 Additional to Other Charges.
- 13.08.060 Applicable Within Town Only – Right of Town to Refuse Service.
- 13.08.070 Computation of Fee.

**13.08.010 Plant Investment Fees Designated.**

Plant Investment Fees for the privilege of tapping or connecting with the Town water and sanitary sewer systems to serve properties located within the corporate limits of the Town are imposed and established on the basis of the following Customer Classification System. Each customer classification is assigned an equivalent residential use unit (EQR). This equivalent residential use unit is multiplied times ~~four thousand eight hundred dollars (\$4,800.00)~~ <sup>\$4,700.00</sup> to determine the Water Plant Investment Fee for each customer classification and times ~~two thousand four hundred dollars (\$2,400.00)~~ <sup>\$4,500.00</sup> to determine the Sewer Plant Investment Fee for each customer classification.

<i>Customer Classification System</i>	
A. Single-family residence, condominium unit, or permanent mobile home, if billed individually	1.0
B. Multi-family residential units, including duplexes, apartments, condominiums; when contained within 1 structure and billed collectively:	
1. First residential unit	1.0
2. Each additional sleeping unit with 2 or less bedrooms and no more than 1½ baths	0.8
3. Each additional unit with 3 or more bedrooms, or 2 or more baths	1.0
4. Each coin-operated washing machine with a 12 lb. or less load for public use	0.5
5. Each mobile home located for long-term use	1.0
C. Temporary and/or transient residential units for rent in motels, lodges and residences:	
1. Basic rate, including manager's quarters	1.0
2. Each additional sleeping unit without plumbing	0.18
3. Each additional sleeping unit with plumbing but no cooking facilities	0.27
4. Each additional sleeping unit with plumbing and cooking facilities	0.65
5. Each coin-operated washing machine with a 12 lb. or less load capacity for public use	0.5
D. Bars, restaurants and all establishments serving food and/or beverages:	
1. Establishments with 25 or less seating capacity	1.36
2. Each additional seat	0.02
E. Automobile service stations:	
1. Without a wash rack	1.36

2. Additional for each wash rack	0.8
<b>F. Commercial or public buildings used as stores, offices, warehouses or other similar uses, including small businesses:</b>	
1. Each building or customer with 1,500 sq. ft. or less or each such use of 400 sq. ft. or less accompanied by 1 living unit	1.0
2. Each additional sq. ft.	0.00034
3. Each additional sq. ft. when used as nonoccupied retail, showroom, shop or warehouse space	0.0002
4. Each additional pair of public restrooms	0.8
<b>G. Churches and nonprofit organization halls with no residence or regular eating facilities</b>	
	1.0
<b>H. Public or private schools:</b>	
1. Base rate for first 50 students or part thereof	2.0
2. Each additional student	0.034
<b>I. Swimming pools in conjunction with other use classifications, for each gallon of swimming pool capacity</b>	
	0.00004
<b>J. Coin operated Laundromats, per machine in service, by load capacity:</b>	
1. Basic fee, including first standard size machine	1.0
2. Each additional machine less than 12 lbs. (standard size)	0.5
3. Each additional machine of 12.1 to 21.0 lb. capacity	0.7
4. Each additional machine of 21.1 to 31.0 lb. capacity	1.0
5. Each additional machine of 31.1 to 41.0 lb. capacity	1.3
6. Each additional machine of 41.1 to 51.0 lb. capacity	1.6
7. Each additional machine of 51.1 to 61.0 lb. capacity	2.0

(Ord. 625 §, 2009; Ord. 556 §2 (part), 2005)

**13.08.011 Customers not Covered by Classification in Section 13.08.010.**

The Town Board of Trustees will set the Plant Investment Fee for any customer which is not covered by the classification in Section 13.08.010. (Ord. 307, 1982)

**13.08.020 Individual Fees for Water Tap or Sewer Tap Designated.**

Repealed by Ordinance #536, 2004.

**13.08.030 Charges Limited to a Certain Size Service Lines.**

Repealed by Ordinance #307, 1982.

**13.08.040 Advance Payment Required.**

The fees imposed shall be paid in advance to the Town, and no permit for any such connection, or for the installation, alteration, construction, reconstruction or extension of any water or sewer line shall be issued until the fees have been paid. (Ord. 556 § 2 (part), 2005)

**13.08.050 Additional to Other Charges.**

The plant investment fees are imposed in addition to all water and sewer use charges heretofore or which may be hereafter established, and are also in addition to all charges for fixtures and materials required for making taps into the water and sewer mains heretofore or which may be hereafter established. (Ord. 556 § 2 (part), 2005)

**13.08.060 Applicable Within Town Only – Right of Town to Refuse Service.**

The plant investment fees hereby imposed are applicable only to properties located within the corporate limits of the Town. The Town reserves the right to refuse any connections to the water or sewer systems of the Town to serve properties located beyond the corporate limits of the Town, or to permit such connections upon such conditions and for such charges as may be determined by the Town Board. (Ord. 556 § 2 (part), 2005)

**13.08.070 Computation of Fee.**

Any plant investment fees for more than 4EQRs for any single use or structure may be subject to recomputation based upon request by the applicant and based upon documentation supplied by applicant demonstrating that the impact of proposed use is less than the impact reflected in the bases used for the computation of the plant investment fees. The Town reserves the right to reject any such documentation and to charge the full fees set forth in this chapter. (Ord. 556 § 2 (part), 2005)

**Chapter 13.12**

**Water and Sewers Definitions**

- 13.12.010 BOD.**
- 13.12.020 Drain, Building.**
- 13.12.030 Drain, Storm.**
- 13.12.040 Fee, Tap.**
- 13.12.050 Garbage.**
- 13.12.060 Garbage, Properly Shredded.**
- 13.12.070 Outlet, Natural.**
- 13.12.080 pH.**
- 13.12.090 Public Works Manager.**
- 13.12.100 Sewage.**
- 13.12.110 Sewage Treatment Plant.**
- 13.12.120 Sewage Works.**
- 13.12.130 Sewer.**
- 13.12.140 Sewer, Building.**
- 13.12.150 Sewer, Public.**
- 13.12.160 Sewer, Sanitary.**

*- OLD CODE P RISE TO 2015*

Hayden Land Use Code Industrial, including warehouses up to 8,000 square feet which include two toilets (one each per restroom):

- A. For every 350 gallons/day of processed water with not more than 15% consumptive use
- B. For each additional toilet or urinal with manual flush
- C. For each additional toilet or urinal with continuous flow
- D. For each additional lavatory
- E. For each shower or bath combination
- F. For each mop sink
- G. For each manual operated drinking fountain
- H. For each continuous flow drinking fountain
- I. For each additional 1,000 square feet or floor space above 8,000 feet

Total EQRs  
Plant Investment Fee

16.02.260 Conveyance of water rights as part of Subdivision and/or Annexation

C. Basic dedication requirement last paragraph: Additionally, uses which compute to be more than 3.0 EQR per tap connection are subject to review, calculations and assessment on an ad hoc basis by the Town after consideration of the anticipated water to be used.

Hayden Municipal Code **CURRENT CODE APPLIED**

Commercial or public buildings used as stores, offices, warehouses or other similar uses, including small businesses:

- 1. Each building or customer with 1,500 sqft or less or each 400 sqft or less accompanied 1 living unit
- 2. Each additional sqft
- 3. Each additional sq ft when used as nonoccupied retail, showroom, shop or warehouse space
- 4. Each additional pair of public restrooms

Total EQRs

Plant Investment Fee

Chapter 13.08 Plant Investment Fees

13.08.001 Customers not Covered by Classification in Section 13.08.010: The Town Board of Trustees will set the Plant Investment Fee for any customer which is not covered by the classification in Section 13.05.010

	Bayou Breeze sq ft 5,576	Hayden Green Grow sq ft 22,452	Wagner 2015 sq ft 35,621	Wagner - 2016 sq ft 35,621
	Quantity	Quantity	Quantity	Quantity
1.0	1	1	1	0
1.0	1	1	1	0
0.30	0	0	0	0
1.0	0	0	0	0
0.15	0	1	0.15	0
0.10	0	1	0	0
1.0	0	1	1	0
0.10	0	0	0	0
1.0	0	14,452	1,88	0.00
0.13	0	2	5.03	0.00
Total EQRs	2	566,380	0	0
Plant Investment Fee	\$26,400	\$0	\$0	\$0

	Bayou Breeze sq ft 5,576	Hayden Green Grow sq ft 22,452	Wagner 2015 sq ft 35,621	Wagner - 2016 sq ft 35,621
	Quantity	Quantity	Quantity	Quantity
1.0	1	1	1	1
0.0003	0.00	0.00	0.00	0.00
0.0002	4076	20952	34121	34121
0.80	0.00	0.00	0.00	0.00
Total EQRs	1.82	5.19	7.82	7.82
Plant Investment Fee	23,961	68,513	56,334	103,279