



AGENDA  
HAYDEN TOWN COUNCIL SPECIAL MEETING  
HAYDEN PLANNING COMMISSION MEETING  
HAYDEN TOWN HALL – 178 WEST JEFFERSON AVENUE  
THURSDAY, FEBRUARY 17, 2022  
6:30 P.M.

ATTENDEES/COUNCIL MAY PARTICIPATE VIRTUALLY VIA ZOOM WITH THE INFORMATION BELOW:

Join Zoom Meeting

<https://us02web.zoom.us/j/83200931559>

Meeting ID: 832 0093 1559

One tap mobile

+12532158782,,83200931559# US (Tacoma)

+13462487799,,83200931559# US (Houston)

THE TOWN WILL ALSO BROADCAST MEETINGS ON FACEBOOK LIVE AT THE TOWN'S FACEBOOK PAGE AT  
<https://www.facebook.com/coloradohayden/>

**\*OFFICIAL RECORDINGS AND RECORDS OF MEETINGS WILL BE THE ZOOM RECORDING AND NOT FACEBOOK LIVE. FACEBOOK LIVE IS MERELY A TOOL TO INCREASE COMMUNITY INVOLVEMENT AND IS NOT THE OFFICIAL RECORD.\***

WORK SESSION 6:00 P.M. – 6:30 P.M.

1. STAFF REPORTS

REGULAR MEETING – 6:30 P.M.

- 1a. CALL TO ORDER
- 1b. OPENING PRAYER
- 1c. PLEDGE OF ALLEGIANCE
- 1d. ROLL CALL

2. CONSIDERATION OF MINUTES

- A. Regular Meeting February 3, 2022

Page 3

3. PUBLIC COMMENTS

Citizens are invited to speak to the Council on items that are not on the agenda. There is a 3 minute time limit per person, unless otherwise noted by the Mayor. Please note that no formal action will be taken on these items during this time due to the open meeting law provision; however, they may be placed on a future posted agenda if action is required.

4. PROCLAMATIONS/PRESENTATIONS

- A. Presentation of Town of Hayden Marketing, Playbook and Strategies – Brooke Salazar

5. CONSENT ITEMS

Consent agenda items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a Councilmember, member of the audience or Town staff requests the Council to remove an item from the consent agenda.

*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.*

- A. Review and Consider for Approval of the appointment of Courtney VanTubbergen, Bonnie Girton and Bill Doolin as Board Members to the Hayden Arts Commission Page 8
- B. Review and Consider for Approval of the appointment Mike Mueller as Board Member to Hayden Parks and Recreation Board Page 17
- C. Review and Consider for Approval Payment Bill Vouchers dated February 10, 2022 in the amount of \$171,409.50 Page 19

**6. OLD BUSINESS**

- A. JOINT PLANNING COMMISSION/TOWN COUNCIL PUBLIC HEARING - HAYDEN DEVELOPMENT CODE Page 26
  - i. Public Hearing: Joint Planning Commission/Town Council Public Hearing on Amendments to Title 7, Hayden Development Code
  - ii. Planning Commission: Consideration and recommendation for approval of the Hayden Development Code
  - iii. Town Council: Consideration and review of Planning Commission’s recommendation for approval of the Hayden Development Code
  
- B. ORDINANCE NO. 711 – HAYDEN DEVELOPMENT CODE Page 27
  - i. Public Hearing: Ordinance No. 711, An Ordinance Amending the Hayden Municipal Code by Adopting and Reenacting Title 7: The Hayden Development Code; Repealing All Conflicting Ordinances; Providing for Severability; and Providing an Effective Date
  - ii. Review and Consider for Approval of 2<sup>nd</sup> Reading of Ordinance No. 711, An Ordinance Amending the Hayden Municipal Code by Adopting and Reenacting Title 7: The Hayden Development Code; Repealing All Conflicting Ordinances; Providing for Severability; and Providing an Effective Date

**7. NEW BUSINESS**

- A. Review and Consider for Approval of 1<sup>st</sup> Reading of Ordinance No. 712, An Ordinance of the Town Council of the Town of Hayden, Colorado, Permitting, Regulating and Licensing Short-Term Rentals, and Making Conforming Amendments to Title 5 of the Hayden Municipal Code; Providing for Severability; and Providing An Effective Date Page 33
- B. Review and Consider for Approval an Award for Planning Consultant Services
- C. Review and Consider for Approval Amendment of Water Allotment Contract between Upper Yampa Water Conservancy District, a Colorado water conservancy district and the Town of Hayden, a Colorado governmental entity Page 39

**8. PULLED CONSENT ITEMS**

**9. STAFF AND COUNCILMEMBER REPORTS (CONTINUED, IF NECESSARY)**

**10. EXECUTIVE SESSION (IF NECESSARY)**

**11. ADJOURNMENT**

Work SessionStaff & Councilmember Reports**RECREATION**

**Josh Jones, Director Parks and Recreation:** The last session of basketball clinic ended last Monday with a parent's night and scrimmage. The two sessions were a success with twenty plus kids. Andrea was kind enough to be a part of that with her friend Coach Cassie. We haven't had a successful basketball program in 2-3 years. I think the model that was created was get the kids to walk down the street right after school, parents don't have to pick them up; some were escorted and some walked in groups. I'd like to model that for the remainder of our winter, spring, summer programs. Get the kids there early, mom and dad don't have to pick them up right away and keep there until 5:30 pm. Next youth program is wrestling with a deadline of February 11<sup>th</sup>. We have a handful of coaches. Don't have participation numbers expected just yet. Tentatively have a home tournament scheduled for April 9<sup>th</sup>; that is an all-hands-on deck community volunteer effort. Need about 50 people to run concessions, tables to refereeing. Rent Hayden School District wrestling mats. Its Summer Somewhere Cornhole Event on February 26<sup>th</sup>. Marshall Arts instructor met with me today and starting in March.\$60 a month. Navigating the new software to pull data for reports I normally share. Wrapped up the day with a Marshall arts instructor, Sidney, out of Meeker. We are looking to start some self-defense training for young and old starting in March.

**Rachel Wattles, Director Arts:** The first concert at the Hayden Center with 75 participants in attendance. The next concert is Buffalo Commons on Friday, February 11<sup>th</sup>. We have over 40 students in our new dance studio. We had 14 adults participate in Hip Hop Dance and look for more classes like Two Step etc. **Mathew Mendisco** added we are looking at adding some outdoor concerts.

**POLICE**

**Chief of Police Tuliszewski:** Attached to the packet are the statistics through the end of last year. The number of more serious crimes have gone up. Holding constant on 25%-30% less productivity for the officers based on the new mandates the state forced on us by the state in 2019 and 2020. It has had its ripple effect with less proactive time which I honestly believe was the purpose; they didn't want the officers out contacting the public. Our officers are getting through it and have not dropped in service. The airport is in full swing. Last year we ended the year with 35 disturbances/calls at the airport; the year before that we had 14, the year before that we only had 7. Disturbances have increased at the YVRA. You see it in the news. Working with the airport. Officer Christensen finished the Officer Resource Training. I want our officers accessible to the students.

**PUBLIC WORKS**

**Bryan Richards, Public Works Director:** Cold and lots of water issues today including at the Hayden Center. Getting ready for spring time and ordering items with a break from snow. Trying some salt mixture getting ice off the roads as it not melting due to the low temps. Moving forward on the sidewalk project. Still hoping to get the sidewalks complete. Moving forward with the Poplar Street bridge and have a kick off meeting with CDOT.

**PLANNING**

**Mary Alice Page-Allen, Planning and Economic Development Director:** Seeing building permits ticking up again. Folks are planning; airport garages plan came over my desk today. In the final updates to Development Code, February 17<sup>th</sup> Joint Planning Commission and Town Council meeting, public hearing

process that is necessary by existing code as well as consider the 2<sup>nd</sup> reading of the Ordinance to adopt the code with March 1<sup>st</sup> being the anticipated effective date. Lot of work over the last year by Planning Commission and staff. A lot of grant management. Specific note the funding source through DOLA with allowing to pivot and authorized to move forward with that. Trying to keep a handle on things, get some things wrapped up and leave for my successor in good shape.

**ADMINISTRATION**

**Mathew Mendisco, Town Manager:** Hayden Center has a punch list for the 1<sup>st</sup> phase. We are wrapping up phase 1; we are advancing and planning for phase 2. Hoping to move into asbestos mitigation in March. This is a heavier lift in terms of asbestos removal than last time. This will be at least six weeks maybe two months. Hopefully starting construction in March depending on the funding coming through as they should. Dual hosting event in September for sources of funding. We will need to use all the rooms available with construction going. It is also worth noting, on Monday, Total Kids opened. A permanent home. It was a quiet, soft opening according to them. The lease auto renews every year in perpetuity as long as we own the building. A couple of grants were completed by staff this last week. We have three businesses to sign on as beneficiaries if the North Colorado Business District opens in Hayden near the airport. It is gaining a lot of traction. Brooke Salazar will be handling communication outwardly to the public, social media, newsletters and work with boards and commissions action items to follow-up on in terms of brand identity. Hired our building maintenance employee.

**Sharon Johnson, Town Clerk:** None.

**Andrea Salazar, Finance Manager:**

**COUNCILMEMBERS**

**Councilmember :**

Staff reports will continue at the end of the meeting.

**Mayor Wuestewald** called the regular meeting of the Hayden Town Council to order at 7:30 p.m. Mayor Pro Tem Reese and Councilmembers Banks, Bowman, Corriveau, Gann, and Hollifield present. Also present were Town Manager, Mathew Mendisco, Town Clerk, Sharon Johnson, Police Chief, Greg Tuliszewski, Public Works Director, Bryan Richards, Planning and Economic Development Director, Mary Alice Page-Allen, Parks and Recreation Director, Josh Jones, Arts and Events Director, Rachel Wattles, and Finance Manager, Andrea Salazar.

**OPENING PRAYER** Mayor Wuestewald offered the opening prayer.

**PLEDGE OF ALLEGIANCE** Mayor Wuestewald led the Pledge of Allegiance.

**MOTION TO AMEND THE AGENDA** Mayor Wuestewald moved to amend the agenda to add Review and Consider for Approval Resolution 2022-04 A Resolution of the Town of Hayden, Colorado Appointing a Trustee to a Five-Year Term to the West Routt Library District Board of Trustees in New Business Item F. and move State of the Town to Item G. Unanimous agreement by council to the amendment.

**OATH OF OFFICE** Chief Tuliszewski introduced Officers Dana Christensen and Officer Matthew Marchbanks and spouses supporting the officers for the Oath. Mayor Wuestewald administered the Oath of Office to Dana Christensen and Matthew Marchbanks Police Officers

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

MINUTES – January 6, 2022	Councilmember Corriveau moved to approve the minutes of the Regular Town Council Meeting held on . January 6, 2022. Mayor Wuestewald seconded. Roll call vote. Councilmember Banks – abstain. Councilmember Gann – abstain. Councilmember Bowman - aye. Councilmember Hollifield – aye. Councilmember Corriveau – aye. Mayor Pro Tem Reese – aye. Mayor Wuestewald – aye. Motion carried.
PUBLIC COMMENTS	Tammie Delaney, Owner Wild Goose Coffee @ Granary, 198 E Lincoln Ave, concerns that the Council has made the decision to demolish the 135 S Walnut St and request a public hearing and community input. Patrick Delaney, 198 E. Lincoln Ave, concerns on 135 S Walnut St and read the email from Historic Walnut Street. Here is an historic touchstone to our past and tearing it down may be the right answer, I don't know. I just request a public discussion on the future of the building. Nathan Frentress,180 E. Crandall Avenue. Is there any historic designation that would keep it from being demolished? Mathew Mendisco indicated it would be taken off the Routt County Historical List, it does not have state or national historic designation. From a long-time resident, I see it as a safety hazard and would be open to public conversation. Tena Frentress, 101 2 <sup>nd</sup> Street member of Hayden Heritage spoke in favor of the demolition of the building.
PROCLAMATIONS/ PRESENTATIONS	None.
CONSENT ITEMS Consideration of bill payment voucher – January 11, 2022 in the amount of \$606,538.65.	Councilmember Banks moved to approve the consent items. Councilmember Corriveau seconded. Roll call vote. Councilmember Corriveau – aye. Councilmember Hollifield – aye. Councilmember Bowman - aye. Councilmember Gann – aye. Councilmember Banks – aye. Mayor Pro Tem Reese – aye. Mayor Wuestewald – aye. Motion carried.
Consideration of bill payment voucher – January 12, 2022 in the amount of \$68,501.47.	
Consideration of bill payment voucher – January 25, 2022 in the amount of \$77,052.00.	
Consideration to appoint Carly Kelly to the Hayden Planning Commission.	
OLD BUSINESS	None.

## NEW BUSINESS

- Review and Consider Approval of Resolution 2022-02 A Resolution Establishing Water and Sewer Rates
- Councilmember Banks moved to approve. Councilmember Gann seconded. Roll call vote. Councilmember Bowman – aye. Councilmember Gann – aye. Councilmember Banks - aye. Councilmember Hollifield – aye. Councilmember Corriveau – aye. Mayor Pro Tem Reese – aye. Mayor Wuestewald – aye. Motion carried.
- Review and Consider Approval of Resolution 2022-03 A Resolution of the Town of Hayden, Colorado Adopting a Fee Schedule
- Banks moved to approve. Councilmember Bowman seconded. Roll call vote. Councilmember Bowman – aye. Councilmember Hollifield – aye. Councilmember Banks - aye. Councilmember Corriveau – aye. Councilmember Gann – aye. Mayor Pro Tem Reese – aye. Mayor Wuestewald – aye. Motion carried.
- Review and Consider for Approval Arts Commission By-Laws
- Mayor Wuestewald moved to approve Arts Commission By-Laws. Councilmember Gann seconded. Roll call vote. Councilmember Banks – aye. Councilmember Corriveau – aye. Councilmember Hollifield - aye. Councilmember Gann – aye. Councilmember Bowman – aye. Mayor Pro Tem Reese – aye. Mayor Wuestewald – aye. Motion carried.
- Review and Consider Approval 1<sup>st</sup> Reading Ordinance No. 711 An Ordinance Amending the Hayden Municipal Code by Adopting and Reenacting Title 7: The Hayden Development Code; Repealing All Conflicting Ordinances; Providing Severability; and Providing an Effective Date
- Mayor Wuestewald moved to approve 1<sup>st</sup> Reading Ordinance No. 711 An Ordinance Amending the Hayden Municipal Code by Adopting and Reenacting Title 7: The Hayden Development Code; Repealing All Conflicting Ordinances; Providing Severability; and Providing an Effective Date. Councilmember Corriveau seconded. Roll call vote. Councilmember Corriveau – aye. Councilmember Banks – aye. Councilmember Gann - aye. Councilmember Bowman – aye. Councilmember Hollifield – aye. Mayor Pro Tem Reese – aye. Mayor Wuestewald – aye. Motion carried.
- Review and Consider Acceptance of November 30, 2021 Financial Statement
- Councilmember Banks moved to accept November 30, 2021 Financial Statement. Councilmember Bowman seconded. Roll call vote. Councilmember Corriveau – aye. Councilmember Hollifield – aye. Councilmember Bowman - aye. Councilmember Gann – aye. Councilmember Banks – aye. Mayor Pro Tem Reese – aye. Mayor Wuestewald – aye. Motion carried.
- Review and Consider for Approval Resolution 2022-04 A Resolution of the Town of Hayden, Colorado Appointing a Trustee to a Five-Year
- Banks moved to approve Resolution 2022-04 A Resolution of the Town of Hayden, Colorado Appointing a Trustee to a Five-Year Term to the West Routt Library District Board of Trustees. Councilmember seconded. Roll call vote. Councilmember – aye. Councilmember – aye. Councilmember - aye. Councilmember – aye. Councilmember – aye. Mayor Pro Tem Reese – aye. Mayor Wuestewald – aye. Motion carried.

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

*Page 4 of 5*

Term to the West Rount  
Library District Board of  
Trustees

State of the Town                    Mathew Mendisco, Town Manager, presented the State of the Town to the Hayden  
Town Council covered the Executive Summary per Home Rule Charter Section 4-1  
b.(5) and sent it to the Town Council at a later date.

PULLED CONSENT ITEMS

STAFF AND  
COUNCILMEMBER  
REPORTS CONTINUED

EXECUTIVE SESSION

ADJOURNMENT                    Mayor adjourned the meeting at 9:07 p.m.

Recorded by:

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

APPROVED THIS 17<sup>th</sup> DAY OF February 2022.

\_\_\_\_\_  
Zachary Wuestewald, Mayor

Hayden Town Council  
178 W Jefferson  
Hayden, CO, 81639

Dear Hayden Town Council:

I have lived in Routt County for many years; my family and I moved to Hayden three years ago. I am writing to express my interest in joining the new Arts Commission board.

I am very passionate about bringing a variety of arts and programs to our growing community. Most of my work in the arts has been as a dancer, performer, choreographer, and dance instructor, though I spent some college years as an arts student as well. Over the past 20 years, I've worked with Steamboat Dance Theatre, Steamboat Arts Council, Pirate Theater, and the Chief Players. I believe that a community full of art is a community full of culture.

Thank you for considering me as a candidate for the new Arts Commission board.

Sincerely,

Courtney VanTubbergen





OFFICE OF THE TOWN CLERK

TOWN OF HAYDEN 178 W JEFFERSON AVE PO BOX 190 HAYDEN, CO 81639 970.276.3741 www.haydencolorado.com

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## Boards and Commissions Application

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Attached is information about serving for the Town of Hayden on the Planning Commission, the Board of Adjustments, Economic Development Commission, Hayden Parks and Recreation Board, Town Council (as an appointed position between elections).

Each member serving on a commission or board must reside in the Town of Hayden.

If you are interested in serving on a commission or board, please complete the application and questionnaire and return it to the Town Clerk at the address above.

### Planning Commission

Number of members:	5 regular members and 2 alternate members
Length of term:	6 years
Meeting Schedule:	2 <sup>nd</sup> and 4 <sup>th</sup> Thursday of each month at 7:00 p.m. (as necessary)
Residency requirement:	Must reside in the Town of Hayden

### Board of Adjustments

Number of members:	5 members
Length of term:	4 years
Meeting date & time:	TBD by request
Residency requirement:	Must reside in the Town of Hayden

### Economic Development Commission

Number of members:	7 regular members and 2 alternate members
Length of term:	1 year
Meeting Schedule:	3 <sup>rd</sup> Tuesday of each month at 7:00 p.m.
Residency requirement:	Reside or be a business owner within the Town of Hayden

### Hayden Parks and Recreation Board

Number of members:	9 regular members and 1 alternate member
Length of term:	4 years
Meeting Schedule:	4 <sup>th</sup> Tuesday of each month at 7:00 p.m.
Residency requirement:	Must reside in the Town of Hayden



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**Hayden Arts Commission**

- Number of members: 5 regular members and 3 alternate members
- Length of term: 2 years
- Meeting Schedule: TBD
- Residency requirement: None, but must have a passion for the arts

**Town Council (appointments to fill a vacancy only)**

- Number of members: 7 members
- Length of term: Mayor 2 years, Councilmember 4 years (alternating elections)
- Meeting Schedule: 1<sup>st</sup> and 3<sup>rd</sup> Thursday of each month at 7:00 p.m.
- Residency requirement: Must have resided in the Town of Hayden for at least two years
- Other requirements: 21 years of age and a registered elector in the Town of Hayden

**Application for Commission or Board**

On which of the Commissions or Boards are you interested in serving on?

- Planning & Zoning Commission
- Board of Adjustments
- Economic Development Commission
- Hayden Parks and Recreation Board
- Town Council (appointed position between elections)
- Arts Commission

Is this a reappointment request? \_\_\_\_\_ If yes, how long have you served? \_\_\_\_\_

NAME: Bonnie Garton

ADDRESS: [REDACTED]

MAILING ADDRESS: Box 332 Hayden, CO 81639

CONTACT PHONE: [REDACTED] WORK PHONE: 970.276-4250

EMAIL ADDRESS: ggscoffice@hotmail.com DATE OF BIRTH: 2/9/71 (why?)

HOW LONG HAVE YOU LIVED IN HAYDEN? 20 years OCCUPATION: Cafe Shop Manager

DATE YOUR ARE AVAILABLE TO START: anytime



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I hereby certify and affirm that all the information contained in this application is true, complete and correct. I understand that false or misleading statements or the omission of important information made on this application or any time during the process may disqualify me from serving for this position. I understand that the Town Council must appoint members to all Boards and Commissions.

*Bonnie [Signature]*

Applicant's Signature

*2/9/22*

Date

**1. Tell us briefly about yourself, why you are interested in being appointed and what experience or education would you bring to this Commission or Board?**

*I'm a local since 1977. I'm very passionate about the arts, mainly music + performing. I've studied music on the collegiate level and done a fair amount of acting (musicals + otherwise).*

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**2. Why do you wish to be appointed/reappointed to this Commission or Board?**

*I believe the arts, of all levels, bring happiness, intellect, joy, and passion to a community. They create bonds and unity among the citizens that participate. I want to support the arts through the volunteering of my time + energy.*



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**3. Are you aware of the time commitment and do you have the personal time to devote to this Commission or Board?**

Because this is a new commission, the time is unknown and to be determined. I'm prepared to devote reasonable amount of time to this commission.

**4. The Town Council strives to keep a balance of knowledge and new opinions and ideas on all boards. What makes you a good candidate for reappointment rather than bringing in a new person? (for those seeking reappointment only)**

**5. What other Boards have you served on?**

Historic Hayden Museum Board  
YoungLife (Bear Valley)



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Hayden Arts Commission

- Number of members: 5 regular members and 3 alternate members
Length of term: 2 years
Meeting Schedule: TBD
Residency requirement: None, but must have a passion for the arts

Town Council (appointments to fill a vacancy only)

- Number of members: 7 members
Length of term: Mayor 2 years, Councilmember 4 years (alternating elections)
Meeting Schedule: 1st and 3rd Thursday of each month at 7:00 p.m.
Residency requirement: Must have resided in the Town of Hayden for at least two years
Other requirements: 21 years of age and a registered elector in the Town of Hayden

Application for Commission or Board

On which of the Commissions or Boards are you interested in serving on?

- Planning & Zoning Commission Board of Adjustments Economic Development Commission
Hayden Parks and Recreation Board Town Council (appointed position between elections)
x Arts Commission

Is this a reappointment request? If yes, how long have you served?

NAME: Bill Doolin

ADDRESS: 12185 CR 69, Hayden, CO 81639

MAILING ADDRESS: PO Box 103, Hayden, CO 81639

CONTACT PHONE: 970-439-8314 WORK PHONE: 970-276-4380, 970-276-0500

EMAIL ADDRESS: doolindancer@gmail.com DATE OF BIRTH: 10/20/1965


HOW LONG HAVE YOU LIVED IN HAYDEN? Currently - 6, Born and raised though OCCUPATION: Administrator DATE YOUR ARE AVAILABLE TO START: 3/1 or 4/1

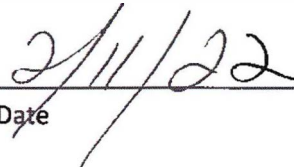


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I hereby certify and affirm that all the information contained in this application is true, complete and correct. I understand that false or misleading statements or the omission of important information made on this application or any time during the process may disqualify me from serving for this position. I understand that the Town Council must appoint members to all Boards and Commissions.

  
Applicant's Signature

  
Date

- 1. Tell us briefly about yourself, why you are interested in being appointed and what experience or education would you bring to this Commission or Board?**

Having been a performing artist for more than thirty years, as well as being a presenter, commissioner of new work, arts administrator and choreographer, I would like to see the town of hayden have more experiences locally in the arts, performing as well as visual. There are many gifted artists in the area whose work would be great to show in a gallery type setting. It would be advantageous to gradually expose the people of hayden to the different types of music, theatre, dance and to other types of performances and performers now available, expanding their experiences. I'm also a musician, having studied music starting in fifth and grade and continuing through college, where I performed in orchestra, an acapella quartet as well appearing in a number of musicals including West Side Story, Oklahoma and 2 Gentlemen of Verona and of course, every dance concert.

- 2. Why do you wish to be appointed/reappointed to this Commission or Board?**

Being born and raised in Hayden, it would be advantageous to have someone who has a local perspective as well as being able to tap in to the experiences I have had in the arts for the last 40 years. I would bring a wealth of artistic experience as well as administrative.





**3. Are you aware of the time commitment and do you have the personal time to devote to this Commission or Board?**

**To my knowledge the time commitment has not been decided on and will certainly be an issue that the first board will have to decide. That being said, I am certainly willing to put in the time needed to get this board and the arts up and running in the Town of Hayden.**

**4. The Town Council strives to keep a balance of knowledge and new opinions and ideas on all boards. What makes you a good candidate for reappointment rather than bringing in a new person? (for those seeking reappointment only)**

**N/A**

**5. What other Boards have you served on?**

**Hayden Heritage Center – 2016-2021  
Friends of Perry-Mansfield – 2020-present**



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**QUESTIONS FOR PLANNING COMMISSION AND TOWN COUNCIL CANDIDATES ONLY**

- 6. If appointed, what would you like to accomplish on the Commission or Board while you're involved?**

**Help start the process of bringing quality performing arts to Hayden, as well as encouraging the practice and enjoyment of the arts. I would also like to encourage accessible programming and exploring the ways we can bring the arts to children and seniors as well as the general population by keeping pricing as affordable as possible and seeking opportunities to offset cost so that we can remain affordable or even free in some cases. I would also like to encourage the development of local talent and encourage the development of a local performing groups (music and theater), gradually getting to a point where they would perform publicly.**

- 7. What do you believe could be a concern or issue facing this Commission or Board?**

**Don't know yet.**





## Town Council Agenda Item

MEETING DATE: February 17, 2022

AGENDA ITEM TITLE: Recommendation to approve the appointment of **Mike Mueller** to the Hayden Parks and Recreation Board, term expiring December 31, 2024.

AGENDA SECTION: Consent

PRESENTED BY: Josh Jones

CAN THIS ITEM BE RESCHEDULED: No

BACKGROUND REVIEW:

The Hayden Parks and Recreation Board voted to recommend to the Town Council that **Mike Mueller** term on the board be for remaining year term expiring December 31, 2024. The Board believes **Mike Mueller** will be a great asset and dedicated, working board member whose efforts will continue to help further improve our programs and activities.

RECOMMENDATION:

It is recommended that Hayden Town Council approves the appointment of **Mike Mueller** to the Hayden Parks and Recreation Board.

MANAGER'S RECOMMENDATION/COMMENTS:

Mr. Josh Jones,

My name is Mike Mueller and I am applying to be a board member for Hayden's Parks and Recreation board. I have been a Hayden Resident since 2018 after moving here to work as a park ranger at Yampa River and Elkhead Reservoir State Parks where I am currently employed. I have worked as a park ranger at Golden Gate Canyon State Park, Rifle Gap Complex State Park, and Lake Shelbyville, which is an Army Corps of Engineers-owned park, located in central Illinois. I am interested in applying my 12 years of experience of working in the outdoor recreation field toward making improvements in the town of Hayden's Parks and Recreation Department.

I have been searching for a volunteer opportunity where I can use my knowledge and expertise while creating a positive impact within my community. I also aim to become more active in this community and see this as an opportunity to meet these goals.

I am intimately familiar with outdoor recreation activities both personally and professionally. In my free time, I enjoy hiking, skiing, rafting, rock climbing, and camping. Due to the nature of my position, I am in constant contact with people recreating in our immediate area. This allows me to gain insight and knowledge on our recreation community which can be applied when making recommendations or planning for town events.

In my current role, some of my duties include planning, advertising, promoting, and carrying out events at our two state parks. These events often include interpretive programs as well as community events like the First Day Hike, the Hike or Treat, social media contests, and other promotional events.

I am also responsible for managing the park's social media page in which I have found success in connecting with community members that our park could not previously reach. I frequently meet with state park staff members to discuss potential events, operational strategies, facility/ equipment needs, and other needed modifications in order make recommendations to implement positive park change.

I believe that these duties in my current role draw many similarities to board member's duties. Additionally, my professional goals align with Hayden's Parks and Recreation's goals in creating quality parks and enjoyable outdoor recreation opportunities for the public.

I believe my participation in this board would create a stronger connection between Colorado Parks and Wildlife (CPW) and the town of Hayden, which would be beneficial to both entities. This way, CPW staff will have first-hand knowledge of community events and recreation opportunities within our community. CPW would also benefit from having representation during board meetings and Hayden Parks and Recreation events. Hayden Parks and Recreation could benefit by having first-hand knowledge of CPW amenities and events as well as having access to park resources.

I look forward to meeting all of the Hayden Parks and Recreation Board members and thank you for your consideration.

Sincerely,



Mike Mueller

## 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	Date Paid	Voided
13038	ACET c/o Moffat County SO	2025.02	Utility Deposit Refund	02/02/2022	.59		
Total 13038:					.59		
6615	All Natural of Yampa Valley Inc	340523	Cleaning After Concert	01/31/2022	195.00		
Total 6615:					195.00		
12696	AT&T Mobility	287293429932	Sewer - Cell Phone	01/20/2022	103.46		
12696	AT&T Mobility	287293429932	Streets - Cell Phone	01/20/2022	198.28		
12696	AT&T Mobility	287293429932	Water - Cell Phone	01/20/2022	108.35		
12696	AT&T Mobility	287293429932	Admin - Cell Phone	01/20/2022	185.62		
12696	AT&T Mobility	287293429932	PD - Cell Phone	01/20/2022	87.78		
12696	AT&T Mobility	287293429932	HC Cell Phones	01/20/2022	73.38		
12696	AT&T Mobility	287293429932	Rec - Cell Phone	01/20/2022	24.47		
12696	AT&T Mobility	287293441320	PD - Cell Phone	01/20/2022	219.45		
Total 12696:					1,000.79		
12834	Baseline Engineering Corporation	23793	US 40 Sidewalks ROW & PSE	02/07/2022	18,151.62		
Total 12834:					18,151.62		
1200	Bear River Valley Co-Op	01252022	Sewer Vehicle Expense	01/25/2022	325.31		
1200	Bear River Valley Co-Op	01252022	Streets Maintenance	01/25/2022	3,965.44		
1200	Bear River Valley Co-Op	01252022	Parks - Vehicle Exp - Fuel	01/25/2022	274.49		
1200	Bear River Valley Co-Op	01252022	Parks - Field & Turf - Fuel	01/25/2022	249.40		
1200	Bear River Valley Co-Op	01252022	Water vehicle exp - fuel	01/25/2022	251.23		
1200	Bear River Valley Co-Op	01252022	Sewer Vehicle Expense	01/25/2022	118.93		
1200	Bear River Valley Co-Op	01252022	PD Vehicle Expense	01/25/2022	1,057.73		
Total 1200:					6,242.53		
1310	Boyko Supply Co	189906	Janitorial Supplies	01/19/2022	353.33		
Total 1310:					353.33		
7900	Browns Hill Engineering &	598	SCADA Lease	02/01/2022	1,485.00		
Total 7900:					1,485.00		
1400	Caselle Inc	114899	Support Contract	02/01/2022	543.00		
1400	Caselle Inc	114899	Support Contract	02/01/2022	271.50		
1400	Caselle Inc	114899	Support Contract	02/01/2022	271.50		
Total 1400:					1,086.00		
1410	CASH	09FEB2022	ISS Cornhole Float Money	02/09/2022	500.00		
Total 1410:					500.00		
12495	CCNC, Inc.	2022-000-307	2022 Membership Fees - PD	01/20/2022	100.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Date Paid	Voided
Total 12495:					100.00		
1650	CEBT	INV 0046956	Sewer Benefits	02/10/2022	1,927.37		
1650	CEBT	INV 0046956	Streets Benefits	02/10/2022	5,062.79		
1650	CEBT	INV 0046956	Water Benefits	02/10/2022	2,924.46		
1650	CEBT	INV 0046956	Parks Benefits	02/10/2022	3,240.38		
1650	CEBT	INV 0046956	Rec Benefits	02/10/2022	10,402.67		
1650	CEBT	INV 0046956	Sewer Admin Benefits	02/10/2022	2,090.51		
1650	CEBT	INV 0046956	Water Admin Benefit	02/10/2022	2,090.51		
1650	CEBT	INV 0046956	Admin Benefits	02/10/2022	5,137.33		
1650	CEBT	INV 0046956	Planning Benefits	02/10/2022	144.50		
1650	CEBT	INV 0046956	PD Benefits	02/10/2022	13,364.98		
Total 1650:					46,385.50		
9230	Chaosink	15233	Youth BBall Clinic Shirts	01/31/2022	335.75		
Total 9230:					335.75		
13040	Christensen, Dana	JAN2022	Training Reimbursement	01/30/2022	201.94		
Total 13040:					201.94		
12423	Colorado Mountain News Media	IN15705	PW Maintenance Ad	01/31/2022	671.52		
Total 12423:					671.52		
1700	Colorado Municipal Judge Assn	01152022	Membership Dues	01/15/2022	235.00		
Total 1700:					235.00		
12889	Demorat, Minnie	JAN2022	Fitness Instructor 1/1-1/31/22	01/31/2022	180.00		
Total 12889:					180.00		
13041	Design 2B Fit Inc	4340	Cardio Equipment	01/26/2022	10,690.00		
Total 13041:					10,690.00		
13042	Doolin, Ann	179.06	Utility Deposit Refund	02/02/2022	7.71		
Total 13042:					7.71		
2150	DPC Industries Inc	737000007-22	Sewer Chemicals	01/04/2022	1,002.09		
Total 2150:					1,002.09		
12513	Economic Development Council o	1336	2022 EDCC Membership	01/28/2022	500.00		
Total 12513:					500.00		
12767	Emily Becker CPA PC	22-0106	Accounting/Year End Services	01/31/2022	92.50		
12767	Emily Becker CPA PC	22-0106	Accounting/Year End Services	01/31/2022	46.25		
12767	Emily Becker CPA PC	22-0106	Accounting/Year End Services	01/31/2022	46.25		



Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Date Paid	Voided
Total 12767:					185.00		
8130	Falcon Environmental Corp.	9079	Washington Street R&M	01/28/2022	2,126.99		
Total 8130:					2,126.99		
12982	Fan Base	3365	Social Media	02/01/2022	3,750.00		
Total 12982:					3,750.00		
4890	FedEx	7-635-93889	Water Sample Shipping	01/20/2022	48.20		
4890	FedEx	7-642-38507	Shipping - Hayden Center	01/27/2022	9.95		
Total 4890:					58.15		
12773	Freedom Mailing Services	42172	Utility Billing - Jan	01/27/2022	175.98		
12773	Freedom Mailing Services	42172	Utility Billing - Jan	01/27/2022	175.97		
Total 12773:					351.95		
2330	Galls LLC	020128388	PD - Handcuffs	01/04/2022	62.90		
2330	Galls LLC	020137764	PD - S&W Carbon Nitride	01/05/2022	64.60		
2330	Galls LLC	020146235	PD - Weathertech Jacket	01/06/2022	186.57		
2330	Galls LLC	020153167	PD - Womens Shirt	01/07/2022	138.89		
2330	Galls LLC	020153226	PD - Fleece	01/07/2022	124.95		
2330	Galls LLC	020165938	PD - Lawpro Star	01/10/2022	48.45		
Total 2330:					626.36		
12109	Haskins Cleaning	01312022	Town Hall Cleaning - Jan	01/31/2022	200.00		
Total 12109:					200.00		
12429	Hatten Enterprises LLC	15275	Sandtruck Plow Cutting Edge	01/31/2022	259.99		
Total 12429:					259.99		
2580	Hayden Merc	01-1386686	WTP Parts	01/04/2022	13.00		
2580	Hayden Merc	01-1387934	Youth Basketball Snacks	01/06/2022	18.33		
2580	Hayden Merc	01-1388207	Town Council Snacks	01/07/2022	12.87		
2580	Hayden Merc	01-1390537	Wash St Pump Repair	01/12/2022	21.35		
2580	Hayden Merc	01-1396505	Razorblades	01/24/2022	5.59		
2580	Hayden Merc	01-1397480	DCP Shop	01/26/2022	3.99		
2580	Hayden Merc	01-1398112	Youth Basketball Snacks	01/27/2022	19.45		
2580	Hayden Merc	01-1399879	Street Light Bulbs	01/31/2022	111.93		
2580	Hayden Merc	01-1400023	Hayden Center Kitchen Supplies	01/31/2022	32.57		
2580	Hayden Merc	02-1408586	TK Paper Towels	01/04/2022	13.18		
2580	Hayden Merc	02-1408607	WTP supplies	01/04/2022	24.98		
2580	Hayden Merc	02-1408923	Wash St Supplies	01/05/2022	27.36		
2580	Hayden Merc	02-1409016	WTP shower	01/05/2022	14.14		
2580	Hayden Merc	02-1412497	Lock Out Signs	01/12/2022	4.99		
2580	Hayden Merc	02-1412636	Tire Chain Repair	01/12/2022	18.36		
2580	Hayden Merc	02-1415282	Washington St Lift Station Pump	01/17/2022	14.57		
2580	Hayden Merc	02-1415308	Auditorium R&M	01/17/2022	5.98		
2580	Hayden Merc	02-1415340	HC - Break room creamer	01/17/2022	1.69		
2580	Hayden Merc	02-1416354	HC - Supplies	01/19/2022	61.01		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Date Paid	Voided
2580	Hayden Merc	02-1416478	3rd St Park Mirror R&M	01/19/2022	9.58		
2580	Hayden Merc	02-1419813	Hayden Center Lights	01/26/2022	24.99		
2580	Hayden Merc	02-1420314	PW Snow shovels	01/27/2022	41.98		
2580	Hayden Merc	02-1421578	Apple Pie Order Supplies	01/29/2022	49.06		
2580	Hayden Merc	02-14808969	Chain Tighteners	01/05/2022	33.94		
2580	Hayden Merc	03-1362811	TC Work Session	01/05/2022	24.83		
2580	Hayden Merc	03-1362813	TC Work Session	01/05/2022	61.19		
2580	Hayden Merc	03-1363236	Water Truck Repair	01/06/2022	15.98		
2580	Hayden Merc	03-1363646	Shop Office Supplies	01/07/2022	5.49		
2580	Hayden Merc	03-1365246	HC - Office Supplies	01/10/2011	32.97		
2580	Hayden Merc	03-1365805	WTP shower	01/11/2022	13.99		
2580	Hayden Merc	03-1369548	Keys for 135 S Walnut	01/20/2022	8.97		
2580	Hayden Merc	03-1372448	Hayden Center Lights	01/26/2022	11.99		
2580	Hayden Merc	03-1372540	HC HVAC nAir Compressor Oil	01/26/2022	11.99		
2580	Hayden Merc	03-1374952	Wash St Hose Rack	01/31/2022	12.68		
Total 2580:					784.97		
13039	Hayley Berg	106	Apple Pie Order	02/03/2022	800.00		
Total 13039:					800.00		
12893	Hielkje Kouwenhoven-Nijsten	JAN2022	Fitness Instructor 1/1-1/31/2022	01/31/2022	80.00		
Total 12893:					80.00		
12909	Ingols, Kris	JAN2022	Fitness Instructor 1/1-1/31/22	01/31/2022	220.00		
Total 12909:					220.00		
2730	Jackson's Office Supply	10451481	BC Concert Posters	02/02/2022	22.25		
Total 2730:					22.25		
13043	Kelly Ann Kerr	107	Hayden Center Live Music	02/03/2022	200.00		
Total 13043:					200.00		
12910	Kreitzman, Kaitlyn	JAN2022	Fitness Instructor 1/1-1/31/22	01/31/2022	80.00		
Total 12910:					80.00		
13044	Kressig, Michelle	106	Dance Refund	01/31/2022	44.00		
Total 13044:					44.00		
12372	Lawson Products, Inc	9309235919	Streets Supplies	02/01/2022	1,267.64		
Total 12372:					1,267.64		
12828	Luminate Fiber LLC	1201FEB2022	3001061201 HPD Broadband	02/01/2022	138.90		
12828	Luminate Fiber LLC	4701FEB2022	Loadout Utilities 3001154701	02/01/2022	73.85		
12828	Luminate Fiber LLC	6301FEB2022	3001106301 Hayden Center Broa	02/01/2022	255.32		
Total 12828:					468.07		
9060	Mid-American Research Chemical	0752562-IN	HC - Sanitizing Supplies	01/20/2022	361.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Date Paid	Voided
9060	Mid-American Research Chemical	0753136-IN	Auto Scrubber Parts	01/27/2022	136.54		
	Total 9060:				497.54		
13045	Movement with Melissa LLC	JAN2022	Fitness Instructor 1/1-1/31/22	01/31/2022	490.00		
	Total 13045:				490.00		
8920	Murdoch's Ranch & Home Craig	155377/19	PW Clothing	01/10/2022	159.99		
8920	Murdoch's Ranch & Home Craig	155423/19	PW Clothing	01/23/2022	184.99		
	Total 8920:				344.98		
4185	Orkin Pest Control	26321445-202	2022 Annual Pest Control	02/01/2022	599.04		
	Total 4185:				599.04		
3240	Precision Excavating Inc	18694	Salt Sand Road Surfacing	01/31/2022	1,255.87		
	Total 3240:				1,255.87		
13046	Quinones, Amanda	JAN2022	Adult Hip Hop Classes January	01/31/2022	351.00		
	Total 13046:				351.00		
12870	RMITL LLC	0043	Website Hosting/Development	02/01/2022	1,139.98		
	Total 12870:				1,139.98		
3340	Roto-Rooter of Craig Inc.	10003	PD - Plumbing Repair	01/25/2022	314.00		
	Total 3340:				314.00		
7090	Samuelson's - Craig	227513	Roof Rake	01/10/2022	81.99		
	Total 7090:				81.99		
3450	Shelton Ditch Company	2022ASSESS	Ditch Rights	02/01/2022	572.22		
	Total 3450:				572.22		
13047	Steadman Group LLC	ROUTT1-2201	Opioid Fund December 21-Jan 22	02/01/2022	10,000.00		
	Total 13047:				10,000.00		
12494	Steamboat Springs Auto Parts, In	411668	Dump Truck Relay	01/11/2022	15.18		
12494	Steamboat Springs Auto Parts, In	411707	Snow Cat Oil	01/11/2022	119.98		
12494	Steamboat Springs Auto Parts, In	411938	Wiper Fluid, Cleaning Supplies	01/18/2022	38.55		
12494	Steamboat Springs Auto Parts, In	412001	Cord Reel	01/20/2022	76.99		
12494	Steamboat Springs Auto Parts, In	412194	Hayden Center Compressor	01/26/2022	33.98		
12494	Steamboat Springs Auto Parts, In	412200	PW Shop Impact	01/26/2022	217.49		
12494	Steamboat Springs Auto Parts, In	412204	Air Compressor	01/26/2022	17.98		
12494	Steamboat Springs Auto Parts, In	412292	Spinner Spreader for Sander Truc	01/28/2022	110.12		
	Total 12494:				630.27		
12867	Steelhead LLC	02092022	EDC Small Business Grant	02/09/2022	9,390.27		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Date Paid	Voided
Total 12867:					9,390.27		
13048	Stuart Stamp & Engraving, LLC	INV-51881	Nameplate Holders	02/09/2022	65.44		
Total 13048:					65.44		
12634	Sunrise Engineering, Inc.	0121367	HH Tank Project	11/04/2021	3,596.00		
12634	Sunrise Engineering, Inc.	0123319	Hayden Advanced Industries Busi	02/04/2022	11,527.25		
12634	Sunrise Engineering, Inc.	0123320	5th St Paving Planning	02/04/2022	2,350.00		
12634	Sunrise Engineering, Inc.	0123320	Hospital Hill VCP Planning	02/04/2022	2,350.00		
Total 12634:					19,823.25		
12775	TAB Associates, Inc.	8334	Hayden Center Renovation	02/01/2022	8,008.80		
Total 12775:					8,008.80		
2185	The Embroidery Shoppe LLC	9695	PD - Badge embroidery	12/30/2021	27.00		
2185	The Embroidery Shoppe LLC	9759	PD - Badge embroidery	02/02/2022	51.00		
Total 2185:					78.00		
12888	Townsend, Michelle	JAN2022	Fitness Instructor 1/1-1/31/2022	01/31/2022	375.00		
Total 12888:					375.00		
12029	Tuliszewski, Greg	01/21/2022	CACP Mid Year Conference Boar	01/21/2022	97.77		
Total 12029:					97.77		
12864	UNCC	222010705	811 Utility Locates	01/31/2022	5.20		
12864	UNCC	222010705	811 Utility Locates	01/31/2022	5.20		
Total 12864:					10.40		
7070	USA BlueBook	852986	Nitrite Solution	01/20/2022	45.55		
Total 7070:					45.55		
12917	Vermont Systems	VS002641	2022 Software Subscription	01/18/2022	9,420.00		
12917	Vermont Systems	VS002718	Rec Track Training	01/28/2022	250.00		
12917	Vermont Systems	VS002744	Merchant Services	01/31/2022	600.00		
Total 12917:					10,270.00		
3880	Wagner Equipment Co	P04C0328728	Washington St Seals/Rings	01/21/2022	30.86		
3880	Wagner Equipment Co	P04C0328842	Cutting Edge	01/27/2022	957.36		
3880	Wagner Equipment Co	P04C0328870	Cutting Edge	01/28/2022	206.95		
Total 3880:					1,195.17		
12915	Waldron, Emily	JAN2022	Fitness Instructor 1/1-1/31/2022	01/31/2022	160.00		
Total 12915:					160.00		
12167	WEX Bank	78051726	PD - Fuel	01/31/2021	175.21		



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Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Date Paid	Voided
					<hr/>		
					175.21		
13032	WinSupply Commerical Charge	062130-01	Parts/Inventory Water Dist	12/28/2021	1,607.13		
					<hr/>		
					1,607.13		
12261	Yampa Valley Brewing Company	JUL-DEC2021	July - December 2021 Sales Tax	01/31/2022	2,980.88		
					<hr/>		
					2,980.88		
					<hr/>		
					171,409.50		
					<hr/> <hr/>		

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Report Criteria:

- Detail report.
  - Invoices with totals above \$0 included.
  - Paid and unpaid invoices included.
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Town of Hayden  
Town Council Agenda Item

MEETING DATE: February 17, 2022

AGENDA ITEM TITLE: JOINT PLANNING COMMISSION/TOWN COUNCIL PUBLIC HEARING - HAYDEN DEVELOPMENT CODE

- i. Public Hearing: Joint Planning Commission/Town Council Public Hearing on Amendments to Title 7, Hayden Development Code
- ii. Planning Commission: Consideration and recommendation for approval of the Hayden Development Code
- iii. Town Council: Consideration and review of Planning Commission's recommendation for approval of the Hayden Development Code

AGENDA SECTION: Old Business

PRESENTED BY: Mary Alice Page-Allen

CAN THIS ITEM BE RESCHEDULED: Not preferred.

**BACKGROUND REVIEW:** The update of the Development Code has worked its way through numerous work sessions over the last twelve (12) months. An additional part of the process to get to finalization and adoption includes the holding of Public Hearings on the proposed Text Amendments with both the Planning Commission and Town Council. Subsequent to the Public Hearing, the Planning Commission will need to take action to forward a recommendation to Town Council; Town Council will consider the recommendation and finalize the language to be contained in the Development Code.

The final step is the approval of the associated Ordinance which will attach the finalized version of Title 7, Hayden Development Code, as an Exhibit.

**RECOMMENDATION:**

Planning Commission: Move to recommend approval of Title 7, Hayden Development Code

Town Council: Move to approve the Planning Commission's recommendation for approval of Title 7, Hayden Development Code.

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



Town of Hayden  
Town Council Agenda Item

**MEETING DATE:** February 17, 2022

**AGENDA ITEM TITLE:** ORDINANCE NO. 711 - HAYDEN DEVELOPMENT CODE

- i. Public Hearing: Ordinance No. 711, An Ordinance Amending the Hayden Municipal Code by Adopting and Reenacting Title 7: The Hayden Development Code; Repealing All Conflicting Ordinances; Providing for Severability; and Providing an Effective Date
- ii. Review and Consider for Approval of 2<sup>nd</sup> Reading of Ordinance No. 711, An Ordinance Amending the Hayden Municipal Code by Adopting and Reenacting Title 7: The Hayden Development Code; Repealing All Conflicting Ordinances; Providing for Severability; and Providing an Effective Date

**AGENDA SECTION:** Old Business

**PRESENTED BY:** Mary Alice Page-Allen

**CAN THIS ITEM BE RESCHEDULED:** Not preferred.

**BACKGROUND REVIEW:** Over the last twelve (12) months, staff and the Planning Commission have been working through Development Code revisions in follow-up to the adoption in January 2021 of the Hayden Forward Master Plan as well as some community member identified issues. The Development Code has also been reorganized to make the document easier to read and use.

A joint Planning Commission/Town Council public hearing was held on the Text Amendments associated with the Hayden Development Code. A Planning Commission recommendation and Town Council approval of the language of the Title 7, Hayden Development Code, that will be attached as Exhibit A to Ordinance No. 711, are needed to finalize said Exhibit A.

**RECOMMENDATION:** Move to approve 2<sup>nd</sup> Reading of Ordinance 711, An Ordinance Amending the Hayden Municipal Code by Adopting and Reenacting Title 7: The Hayden Development Code; Repealing All Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

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

## **ORDINANCE NO. 711**

### **AN ORDINANCE AMENDING THE HAYDEN MUNICIPAL CODE BY ADOPTING AND REENACTING TITLE 7: THE HAYDEN DEVELOPMENT CODE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the authority for the Town of Hayden (“Town”) to adopt regulations concerning the use, subdivision and development of real property is provided by Article XX of the Colorado Constitution and the Town of Hayden home rule charter; Article 65.1 Areas and Activities of State and Local Interest, Article 65.5 Notification of Surface Development, Article 67 Planned Unit Development Act of 1972, and Article 68 Vested Property Rights of Title 24, Colorado Revised Statutes; Article 20 Local Government Regulation of Land Use of Title 29, Colorado Revised Statutes; and Article 12 Annexation – Consolidation – Disconnection, Article 15 Exercise of Municipal Powers, Article 16 Ordinances – Penalties, Article 20 Taxation and Finance, Article 23 Planning and Zoning, and Article 25 Public Improvements of Title 31, Colorado Revised Statutes; and other applicable state and federal laws and regulation; and

**WHEREAS**, numerous work sessions were held by the Hayden Planning Commission (“Planning Commission”) to inform, provide direction and review the proposed amendments to the Title 7, Hayden Development Code, Hayden Municipal Code (HDC); and

**WHEREAS**, in accordance with the requirements of the HDC, and after providing proper notice, a public hearing was held at a joint meeting of the Planning Commission and Hayden Town Council (“Council”) on February 17, 2022 to solicit public comments, and after considering all public comments received and testimony and materials provided by Town staff the Planning Commission provided a recommendation to the Council to adopt and reenact the Hayden Development Code; and

**WHEREAS**, in accordance with the requirements of the HDC and in accordance with the requirements of the Hayden Home Rule Charter, after providing proper notice, the Hayden Town Council held a public hearing on February 17, 2022; and considered all public comments received and all testimony and materials provided by Town Staff prior to making a decision; and

**WHEREAS**, the Council specifically finds that the proposed revisions to the Hayden Development Code meet the review criteria in Section 7.16.040(c) of the Hayden Development Code; including:

1. The adoption and reenactment of the Hayden Development Code promotes the health, safety and general welfare of the Hayden community; and
2. The adoption and reenactment of the Hayden Development Code promotes or implements the goals and policies of the Hayden Forward Master Plan; and

3. The adoption and reenactment of the Hayden Development Code is necessary or desirable to respond to changed conditions, new planning concepts or other social or economic conditions.

**WHEREAS**, approval of this Ordinance on first reading is intended only to confirm that the Town Council desires to comply the requirements of the Hayden Home Rule Charter by setting a public hearing in order to provide the public an opportunity to present testimony and evidence regarding the application and that approval of this Ordinance on first reading does not constitute a representation that the Council, or any member of the Council, supports, approves, rejects, or denies this ordinance;

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

**Section 1. Recitals Incorporated.** The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Town Council.

**Section 2. Enacted. Title 7: Hayden Development Code,** attached to this Ordinance as Exhibit A is hereby adopted and enacted.

**Section 3. Codification Amendments.** The codifier of the Town’s Municipal Code is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Hayden Municipal Code. The Town Clerk is authorized to correct, or approve the correction by the codifier, of any typographical error in the enacted regulations, provided that such correction shall not substantively change any provision of the regulations adopted in this Ordinance. Such corrections may include spelling, reference, citation, enumeration, and grammatical errors.

**Section 4. Severability.** If any provision of this Ordinance, or the application of such provision to any person or circumstance, is for any reason held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable. The Town Council hereby declares that it would have passed this Ordinance and each provision thereof, even though any one of the provisions might be declared unconstitutional or invalid. As used in this Section, the term “provision” means and includes any part, division, subdivision, section, subsection, sentence, clause or phrase; the term “application” means and includes an application of an ordinance or any part thereof, whether considered or construed alone or together with another ordinance or ordinances, or part thereof, of the Town.

**Section 5. Effective Date.** This Ordinance, immediately on final passing and adoption, shall be published in accordance with Section 3-3h of the Home Rule Charter and recorded in the Town Book of Ordinances kept for that purpose, authenticated by the signatures of the Mayor and Town Clerk. This Ordinance shall be in full force and effect on March 1, 2022 after its publication in accordance with Section 3-3h of the Hayden Home Rule Charter.

**Section 6. Safety Clause.** The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Hayden, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

**Section 7. Repealer.** All bylaws, orders, ordinances, resolutions, and other instruments or parts thereof that are in conflict with this Ordinance are hereby repealed only to the extent of such conflict. This repealer shall not be construed to revive any bylaw, order, ordinance, resolution, or other instrument, or part thereof, heretofore repealed.

**Section 8. No Existing Violation Affected.** Nothing in this Ordinance shall be construed to release, extinguish, alter, modify, or change in whole or in part any penalty, liability or right or affect any audit, suit, or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing which may have been incurred or obtained under any ordinance or provision hereby repealed or amended by this Ordinance. Any such ordinance or provision thereof so amended, repealed, or superseded by this Ordinance shall be treated and held as remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions, for the enforcement of such penalty, liability, or right, and for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered, or made in such actions, suits or proceedings, or prosecutions imposing, inflicting, or declaring such penalty or liability or enforcing such right, and shall be treated and held as remaining in force for the purpose of sustaining any and all proceedings, actions, hearings, and appeals pending before any court or administrative tribunal.

**Section 9. Public Hearing on Ordinance No. 711.** A public hearing on this Ordinance will be held on February 17, 2022 at the regular meeting of the Hayden Town Council beginning at 7:30 p.m. at the Hayden Town Hall, 178 West Jefferson Avenue, Hayden, Colorado.

*[EXECUTION PAGE FOLLOWS]*

**INTRODUCED, READ AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3(d) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ON FEBRUARY 3, 2022,** and setting a public hearing for February 17, 2022 at the Council Chambers of the Hayden Town Hall, located at 178 West Jefferson Avenue, Hayden, Colorado.

**BY:** \_\_\_\_\_

**Zachary Wuestewald, Mayor**

**ATTEST:** \_\_\_\_\_

**Sharon Johnson, Town Clerk**

**FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3(h) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 17<sup>TH</sup> DAY OF FEBRUARY, 2022.**

**BY:** \_\_\_\_\_

**Zachary Wuestewald, Mayor**

**ATTEST:** \_\_\_\_\_

**Sharon Johnson, Town Clerk**

## EXHIBIT A

The text of the draft Hayden Development Code is available for viewing here:

<https://www.dropbox.com/s/qvpzoarb9kv12j7/Hayden%20Dev%20Code%202-8-22%20Draft.pdf?dl=0>





Town of Hayden

Town Council Agenda Item

**MEETING DATE:** February 17, 2022

**AGENDA ITEM TITLE:** Review and Consider for Approval of 1<sup>st</sup> Reading of Ordinance No. 712, An Ordinance of the Town Council of the Town of Hayden, Colorado, Permitting, Regulating and Licensing Short-Term Rentals, and Making Conforming Amendments to Title 5 of the Hayden Municipal Code; Providing for Severability; and Providing An Effective Date

**AGENDA SECTION:** New Business

**PRESENTED BY:** Mary Alice Page-Allen

**CAN THIS ITEM BE RESCHEDULED:** Not preferred.

**BACKGROUND REVIEW:** Ordinance No. 712 proposes a set of licensing rules and standards that incorporate the standards outlined in the Development Code for Short-Term Rentals.

**RECOMMENDATION:** Move to approve 1<sup>st</sup> Reading of Ordinance No. 712, An Ordinance of the Town Council of the Town of Hayden, Colorado, Permitting, Regulating and Licensing Short-Term Rentals, and Making Conforming Amendments to Title 5 of the Hayden Municipal Code; Providing for Severability; and Providing An Effective Date and set a date of March 3, 2022 for a Public Hearing.

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

**ORDINANCE NO. 712**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, PERMITTING, REGULATING AND LICENSING SHORT-TERM RENTALS, AND MAKING CONFORMING AMENDMENTS TO TITLE 5 OF THE HAYDEN MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Hayden Town Council desires to create to permit, regulate and license Short-Term Rentals as such are defined in Title 7, Hayden Development Code, of the Hayden Municipal Code; and

**WHEREAS**, the Hayden Town Council desires to establish application procedures and licensing regulations concerning said Short-Term Rentals.

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

**Section 1.** Chapter 5.25 is hereby added to Title 5 of the Hayden Municipal Code to read as follows:

**CHAPTER 5.25  
LICENSING OF SHORT-TERM RENTALS**

**5.25.010 Purpose and Intent.**

- A. The purpose of this Chapter is to establish comprehensive regulations to safeguard public health, safety and welfare by requiring licensing of short-term rental properties in the Town of Hayden (Town).
- B. This chapter applies to accommodations for rent or lease in exchange for remuneration for a period of less than thirty (30) consecutive days, and in which such accommodations are a person's primary residence.
- C. This chapter is not intended to supersede any private conditions, covenants or restrictions applicable to a short-term rental unit nor to regulate other types of lodging accommodations that may be permitted to operate in the Town.

**5.25.020 Definitions.**

The following words and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section:

- A. "Dwelling unit" means one (1) or more habitable rooms constituting a unit for permanent occupancy, having but one (1) kitchen together with facilities for sleeping, bathing, and which unit occupies a structure or a portion of a structure.
- B. "Licensed premises" means the premises specified in an approved application for a license under this Chapter which are owned or in the possession of the licensee and within which such licensee is permitted to provide short-term rental in accordance with the provisions of this Chapter and Title 7, Hayden Development Code.
- C. "Primary residence" means the place in which a person's habitation is fixed for the term of the license and is the person's usual place of return. A person can have only one (1) primary residence.

- D. “Short-term rental” means any dwelling unit offered, provided, or operated as lodging accommodations to guests in exchange for remuneration for a period of less than thirty (30) consecutive days. This definition does not include offering use of one’s property to another where no fee is charged and collected, and also specifically excludes use of recreational vehicles, travel trailers, or mobile homes located in a mobile home, trailer or RV park.

**5.25.030 License Required; Term of License; Renewal Application**

- A. It shall be unlawful to offer, provide or operate a short-term rental in the Town without first obtaining a license as provided in this Chapter and in compliance with any and all applicable laws and regulations adopted pursuant thereto.
- B. All licenses issued under this Chapter shall be valid for a period of one (1) year from the date of their issuance.
- C. An application for renewal of an existing license shall be made on forms provided by the Town. At the time of the renewal application, each applicant shall pay the requisite fee to the Town as set forth in the Town Fee Schedule and include a copy of any notice of violation of any law or regulation, including disciplinary action against the license.
- D. A short-term rental license may not be renewed if there are causes for denial, suspension, revocation or other licensing sanctions as provide in this Chapter, or rules and regulations promulgated thereto.
- E. Except where the Town has received a complete renewal application along with the requisite fees, it shall be unlawful for any person to operate a short-term rental after the expiration date recorded upon the face of the short-term rental license.

**5.25.040 Issuance or Denial**

A license shall be denied under this Chapter if:

- A. The short-term rental is not the applicant’s primary residence. In determining whether a location is the applicant’s primary residence for short-term rental licensing purposes, the Town may consider any of the following factors:
- a. Whether the applicant has or claims any other location for domestic, legal, billing, voting or driver’s licensing purposes;
  - b. Whether and how often the applicant returns to the short-term rental or resides at any other location within the calendar year;
  - c. Whether the address listed on an applicant’s legal documents or tax assessment records is different than the address of the short-term rental;
  - d. Whether an applicant’s business pursuits, employment, income sources, residence for income or other tax purposes, leaseholds, situs of personal and real property, and motor vehicle registration indicate that the short-term rental is the applicant’s primary residence;
  - e. Whether the amount of time that the short-term rental has been, or will be, rented within the calendar year indicates the short-term rental is or is not the applicant’s primary residence;
  - f. Whether the applicant is actively deployed in the United States military; or
  - g. Whether any other relevant information discovered by the Town or submitted by the applicant indicates that the short-term rental is or is not the applicant’s primary residence.

- B. There is good cause to deny the application. The term “good cause” means:
  - a. Evidence that an applicant or licensee has violated, does not meet, or has failed to comply with any of the terms or conditions placed on his license, any city or state law, or any rules and regulations promulgated thereunder, including, but not limited to, Section 7.28.160, Hayden Development Code, as may be amended.
  - b. Evidence that the short-term rental has previously been, or will be, operated in a manner that adversely affects the public health, safety or welfare of the immediate neighborhood in which the short-term rental is located.
- C. The applicant fails to provide a complete application and documentation required herein.
- D. The applicant fails to obtain or maintain insurance in the adequate amounts.
- E. The application fails to comply with any state or local laws, or any rules and regulations adopted pursuant thereto.

**5.25.050 Application.**

- A. Before any license under this Chapter is issued, an application shall be made upon forms provided by the Town. The Town may require additional documentation associated with the application as may be necessary to enforce the requirements of this Chapter. In addition to any other requirements, applicants shall provide the following documentation showing the Town address of the short-term rental:
  - a. A valid Colorado driver’s license or a valid Colorado state identification card; and
  - b. At least two (2) of the following documents indicating that the short-term rental is the applicant’s primary residence:
    - i. Proof of a valid motor vehicle registration;
    - ii. Proof of voter registration;
    - iii. Federal or state tax returns or other financial documentation;
    - iv. A utility bill; or
    - v. Any other legal documentation deemed sufficient by the Town which is pertinent to establishing primary residency; and
  - c. Proof of possession of the short-term rental, either by valid warranty deed, valid lease, or other verification of the tenant’s right to possession of the premises. If the applicant does not own the dwelling unit, the applicant must also provide written documentation from the property owner allowing the applicant to conduct a short-term rental on the proposed licensed premises; and
  - d. Valid State and Town sales tax licenses.
- B. The applicant shall self-certify that the information on the application is accurate and truthful under penalty of perjury under the laws of the State of Colorado.

**5.25.060 Unlawful acts.**

- A. Safety requirements. It shall be unlawful to operate a short-term rental without a functioning smoke detector, carbon monoxide detector, and fire extinguisher on the licensed premises.
- B. Primary residence. It shall be unlawful to operate a short-term rental in any location that is not the applicant’s primary residence.
- C. Compliance with Town and State laws. It shall be unlawful to operate a short-term rental that does not comply with all applicable Town and State laws.

- D. Advertising. It shall be unlawful to advertise a short-term rental without the license number clearly displayed on the face of the advertisement. For the purposes of this section, the terms “advertise”, “advertising” or “advertisement” mean the act of drawing the public’s attention to a short-term rental.
- E. Insurance. It shall be unlawful to operate a short-term rental without fire, hazard and at least \$1,000,000 in liability insurance that covers the use of the property as a short-term rental at all times.
- F. Unlawful transactions. It shall be unlawful for any booking service provider to receive payment, directly or indirectly, for an unlicensed short-term rental located in the Town. The provisions of this subsection (F) are entirely strict liability in nature.
- G. Records. It shall be unlawful for any person or entity to fail to comply with Section 5.25.100.
- H. Penalty. In addition to the general penalty provided for in Chapter 1.8, Hayden Municipal Code, a booking service provider who violates subsection (F) or (G) of this section shall be subject to a civil penalty of one thousand dollars (\$1,000.00) per violation per day.

**5.25.070 Brochures.**

Each short-term rental shall provide a brochure on the licensed premises that includes the licensee’s contact information, a local responsible party’s contact information, and any necessary emergency contract information. For the purposes of this section, “local responsible party” means an individual located in the Town during the entire length of the short-term rental period who has access to the licensed premises and is authorized to make decisions regarding the licensed premises. The brochure shall also provide information pertinent to the neighborhood where the short-term rental is located including, but not limited to, parking restrictions, restrictions on noise and amplified sound, trash collection schedule, relevant watering restrictions, fire evacuation routes, and any other information, as required by the Town, applicable to the short-term rental and the surrounding neighborhood.

**5.25.870 Licenses Non-Transferable.**

No license granted pursuant to this Chapter shall be transferable from one (1) person to another or from one (1) location to another.

**5.25.090 Disciplinary Actions, Sanctions.**

- A. A short-term rental license may be suspended or revoked for any of the grounds for denial set forth in Section 5.25.040 of this Chapter.
- B. Procedures for investigation of license violations and for suspension, revocation or other licensing sanctions as a result of any such violation shall be as proved by rules and regulations promulgated by the Town.

**5.25.100 Records.**

- A. Each short-term rental licensee shall maintain the following records for the past year:
  - a. Total number of nights the short-term rental was rented to a guest; and
  - b. The dates in which the short-term rental was rented by a guest.
- B. Each booking service provider shall maintain the following information for short-term rental transactions facilitated in the Town within the past five years:
  - a. The name of the person who offered the short-term rental;
  - b. The address of the short-term rental;
  - c. The dates for which the short-term rental was booked by a guest;

- d. The price paid by the guest for each short-term rental transaction; and
- e. The short-term rental license number.

The Town shall maintain and make publicly available a list of all licensed short-term rentals within the Town.

**Section 2. Effective Date.**

This Ordinance, immediately on final passing and adoption, shall be published by the Town Clerk in accordance with Section 3-3h of the Home Rule Charter and recorded in the Town Book of Ordinances kept for that purpose, authenticated by the signatures of the Mayor and Town Clerk. This Ordinance shall be in force and take effect fifteen (15) days after second publication in accordance with Section 3-3h of the Hayden Home Rule Charter.

**Section 3. Public Hearing**

A public hearing on this Ordinance will be held on the 3rd day of March, 2022 at or about 7:30 p.m. at the Hayden Town Hall, 178 West Jefferson Ave, Hayden, Colorado.

**INTRODUCED, READ, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3 (d) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 17<sup>th</sup> DAY OF FEBRUARY, 2022.**

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Zachary Wuestewald, Mayor

ATTEST

---

Sharon Johnson, Town Clerk

**FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3 (h) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 2022.**

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Zachary Wuestewald, Mayor

ATTEST

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Sharon Johnson, Town Clerk



Town of Hayden

Town Council Agenda Item

**MEETING DATE:** February 17, 2021

**AGENDA ITEM TITLE:** Approve Amendment to Stagecoach Water Storage Contract

**AGENDA SECTION:** New business

**PRESENTED BY:** Bryan Richards

**CAN THIS ITEM BE RESCHEDULED:** Yes, but not recommended

**BACKGROUND REVIEW:**

The Town of Hayden and the Upper Yampa Water Conservancy District (UYWCD) entered into an agreement on November 20, 1986, for annual storage and delivery of 200 acre-feet of water in Stagecoach Reservoir. For the first 30 years of the contract the price was fixed at \$35/ acre-foot. However, beginning in 2021 the contract called for the price for annual storage and delivery of water to be determined based on the UYWCD's estimated costs of operating, repairing, renovating, and maintaining (including replacement costs) of Stagecoach Reservoir. Before the new pricing kicked in, the UYWCD offered to extend the original fixed pricing for an additional 2 years and all parties signed an amendment reflecting this. The 2-year extension ended this year and accordingly, for 2022, pricing will be calculated annually based on Stagecoach Reservoir budgeted costs for the upcoming year.

The UYWCD's estimated costs for Stagecoach operations and capital repair and replacement will change from year to year there could be significant variations in pricing each year going forward. The UYWCD Board has considered this situation and, in order to avoid such uncertainty and provide you with predictable pricing for the next 20 years, is willing to enter into an amendment to our contract that would fix the per acre foot price at \$82 adjusted annually by CPI increases and make certain other changes to update the contract. The proposed amendment is attached for your consideration.

Staff is currently analyzing whether it makes sense to move our additional 300 acre-ft of storage in Yamcolo Reservoir to Stagecoach Reservoir.



**RECOMMENDATION:** Staff recommends Town Council to approve the contract amendment as presented.

**MANAGER'S RECOMMENDATION/COMMENTS:** *I concur with this recommendation*





November 11, 2021

Town of Hayden  
Attn: Mathew Mendisco  
PO Box 190  
Hayden, CO 81639  
mathew.mendisco@haydencolorado.org

RE: Amendment of Water Allotment Contract

Dear Town of Hayden:

I am writing in reference to your contract with the Upper Yampa Water Conservancy District (UYWCD) November 20, 1986 , for annual storage and delivery of **200** acre-feet of water in Stagecoach Reservoir. For the first 30 years of the contract the price was fixed at **\$35/** acre-foot. However, beginning in 2021 Section **3.3** of the contract called for the price for annual storage and delivery of water to be determined based on the UYWCD's estimated costs of operating, repairing, renovating, and maintaining (including replacement costs) of Stagecoach Reservoir. Before the new pricing kicked in, the UYWCD offered to extend the original fixed pricing for an additional 2 years and the parties signed an amendment reflecting this. The 2-year extension ended this year and accordingly, for 2022, pricing will be determined by Section **3.3** and will be calculated annually based on Stagecoach Reservoir budgeted costs for the upcoming year. Under the 2022 UYWCD proposed budget which will be considered by the Board for adoption on November 17, 2021, the price is expected to be approximately **\$90** per acre foot for 2022.

A DRAFT of the calculations of the expected price per acre foot for 2022 is included with this letter as an attachment. This price calculation methodology includes two primary components:

1. Annual expense (direct and indirect) costs the UYWCD expects to incur for the operation, repair, renovation, and maintenance of Stagecoach Reservoir.
2. Capital Maintenance and Emergency Reserves for Stagecoach Dam.

The UYWCD developed the methodology for the application of direct and indirect expense costs of Stagecoach Reservoir with the assistance of accounting consultant Anton, Collins, Mitchell LLP (ACM). The percentages of indirect expenses included in the pricing calculation are based on a time and cost data analysis performed with the assistance of ACM. Additional refinements to

Mailing Address  
P.O. Box 775529  
Steamboat Springs, CO 80477-5529

Location  
2220 Curve Plaza, Suite 201  
Steamboat Springs, CO 80487

Telephone  
(970) 871-1035  
Fax (888) 519-3464



indirect cost allocations are indicated on the DRAFT calculations. The UYWCD staff and consulting engineers analyzed all the UYWCD facilities to determine recommended Capital Maintenance and Emergency reserves. The resulting reserve recommendations for Stagecoach Dam were included in the price calculations as indicated. The 2022 price per acre-foot calculations, as indicated in Section **3.3** of the existing contract, will be finalized after the UYWCD Board approves the 2022 UYWCD Budget. Please contact the UYWCD for any further explanation of these price calculation methodologies.

The UYWCD's estimated costs for Stagecoach operations and capital repair and replacement will change from year to year there could be significant variations in pricing each year going forward. The UYWCD Board has considered this situation and, in order to avoid such uncertainty and provide you with predictable pricing for the next 20 years, is willing to enter into an amendment to your contract that would fix the per acre foot price at **\$82** adjusted annually by CPI increases and make certain other changes to update the contract. The proposed amendment is attached for your consideration. If the amendment is acceptable, please execute and return it to me together with organization meeting minutes or other proof of official adoption. If you would like me to meet with you and/or your Board to discuss this proposed amendment further, please contact me to arrange a convenient time.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy Rossi", is written over a light blue horizontal line.

Andy Rossi  
General Manager  
Upper Yampa Water Conservancy District  
P.O. Box 775529  
Steamboat Springs, CO 80477  
[arossi@upperyampawater.com](mailto:arossi@upperyampawater.com)  
970-871-1035

encl.: Amendment of Water Allotment Contract  
UYWCD Proposed 2022 Budget  
DRAFT 2022 Stagecoach Reservoir Existing Municipal Contract Cost Analysis  
Original Existing Municipal Contract CPI Adjusted Cost Increase Reference

AMENDMENT OF WATER ALLOTMENT CONTRACT

This AMENDMENT OF WATER ALLOTMENT CONTRACT is made and entered into effective the 1st day of March 2022 (“Effective Date”) by and between The Upper Yampa Water Conservancy District, a Colorado water conservancy district (“District”) and the following governmental or private entity: Town of Hayden

(Such governmental or private entity being herein referred to as the “Contractor”).

RECITALS

WHEREAS, the District and the Contractor entered into a water allotment contract agreement dated November 20, 1986, providing for the storage by the District in Stagecoach Reservoir prior to July 15<sup>th</sup> of each calendar year of **200** acre feet of water (the “Contractor Water Allotment”) for release to the Contractor for beneficial uses upon request of the Contractor between July 15<sup>th</sup> and April 1<sup>st</sup> of each water year (the “Agreement”); and

WHEREAS, after the first 30 years of the Agreement, the annual purchase price of the Contractor Water Allotment allocated to the Contractor must be determined by **Sections 3.2 and 3.3** of the Agreement, and is to be determined annually by the District based upon the District’s estimated costs of operating, repairing, renovating and maintaining (including replacement costs) of Stagecoach Reservoir, without right of appeal by Contractor or “true-up” based after actual costs are expended and computed, payable upon receipt of billing from the District; and

WHEREAS, the District and Contractor agreed that the purchase price for the Contractor Water Allotment for Water Years 2020 and 2021 would be **\$35** per acre foot; and

WHEREAS, the District and the Contractor desire to avoid future disputes and disagreements regarding the estimated or actual costs of operating, repairing, renovating and maintaining (including replacement costs) of Stagecoach Reservoir, so that, for a period of years, the annual purchase price of the Contractor Water Allotment allocated to the Contractor under the Agreement will be a fixed and known annual amount, adjusted only for increases in the applicable CPI, regardless of such District costs or estimates of costs; and

WHEREAS, at the time the Agreement was entered into, the District had entered into, or expected to enter into, similar M&I water allotment contracts for storage of water in Stagecoach Reservoir totaling approximately 15,000 AF of such storage water, including the Agreement and including either 13,000 AF or 11,000 AF of storage water contracted for allocation to either Colorado Ute Electric Cooperative or its successor-in-interest Tri-State Generation and Transmission Company (“Tri-State”) in connection with the ownership and operation of the Craig Electric Power Generating Station near Craig, Colorado; and

WHEREAS, since the date of the Agreement, Tri-State has now terminated and withdrawn from all water storage allotment contracts with the District; and

Existing Contract **References** Should be Verified for Consistency for Individual Contractors

WHEREAS, the District has designated certain pools of water within the Reservoir for the purpose of administration of the storage and release of water from the Reservoir (the below-described “Contract Pools,” or individually, a “Contract Pool”), such designation shall supersede any conflicting provisions in the Agreement, and that the District has adopted a filling priority for the various Contract Pools under Upper Yampa Stagecoach Reservoir Fill and Release Policies adopted January 20, 2021 as follows:

(a) 9,000 acre-feet “Municipal/Industrial Pool” – The Municipal/Industrial Pool consists of water formerly allocated to Tri-State Generation and Transmission Association, Inc. (“TriState”) under Upper Yampa’s expired contract with Tri-State or the municipal or industrial allottees of water from Stagecoach Reservoir who contract for all or part of the 7,000 acre-feet formerly allotted to Tri-State; and 2,000 acre-feet allocated for municipal use pursuant to existing contracts between Upper Yampa and such contracting entities or the municipal or industrial allottees of water from Stagecoach Reservoir who contract for all or part of the 2,000 acre-feet allotted to such contracting municipal users if Upper Yampa's current or former contracts with any such municipal user for water from Stagecoach is terminated or released or amended in whole or in part;

(b) 2,000 acre-feet “Augmentation Pool” – The Augmentation Pool consists of water allocated for augmentation use pursuant to the decree of the Water Court entered in Case No. 06CW49, Water Division 6;

(c) 4,000 acre-feet “General Supply Pool” – The General Supply Pool consists of water formerly under contract to Tri-State and deliverable out of Yamcolo Reservoir pursuant to an exchange agreement which expired and was not renewed; the General Supply Pool water is not subject to any exchange obligation or right or limitations on storage and use other than Upper Yampa Fill Priority;

(d) 3,164 acre-feet “Raise Pool” – The Raise Pool consists of water that represents the increase in capacity of the Reservoir resulting from the raise in the level of the spillway completed in 2011; the Raise Pool water is not subject to any right or limitations on storage and use other than Upper Yampa Fill Priority, but is called the “Raise Pool” only for definitional purposes;

(e) 3,125 acre-feet “Preferred Remainder Pool” – The Preferred Remainder Pool consists of water not currently under contract, which represents a defined quantity of water in the Reservoir not allocated to the Contract Pools described in paragraphs (a) through (d) above; the Preferred Remainder Pool water is not subject to any right or limitations on storage and use other than Upper Yampa Fill Priority, but is called the “Preferred Remainder Pool” only for definitional purposes; and

(f) 15,000 acre-feet, approximately, is the “Emergency Remainder Pool” – The Emergency Remainder Pool consists of water that represents the remaining capacity of the Reservoir not allocated to the Contract Pools described in paragraphs (a) through (e) above.

WHEREAS the parties desire to amend and revise certain other provisions of the Agreement which are out-of-date and inconsistent with the policies and procedures of the District and/or the

Existing Contract **References** Should be Verified for Consistency for Individual Contractors

practices of administration of water rights by the Colorado State Engineer and/or the Division Engineer for Water Division No. 6; and

WHEREAS, the manager of the District and representatives of the Contractor have met and negotiated in good faith, and have reached agreements on the purchase price for the Contractor Water Allotment allocated to the Contractor under the Agreement for water year 2022 and subsequent years through until February 28, 2042, and certain other amendments to the Agreement.

NOW, THEREFORE, the Contractor and District do hereby amend the Agreement as follows:

1. Until February 28, 2042, the first sentence of **Section 3.3** of the Agreement is suspended, and the following provisions shall apply:

A. The purchase price for the Contractor Water Allotment allocated to the Contractor for water year 2022 shall be **\$82** per acre foot for each acre foot of such Contractor Water Allotment stored at the annual peak storage occurring on or prior to July 15<sup>th</sup> of such water year, without regard to subsequent releases or evaporation or reasonably unpreventable leakage of such water and without regard to whether or not all or any part of such water has been carried over in storage from the prior Water Year, and shall be paid in full to the District by Contractor by July 31, 2022.

B. The annual price per acre foot for the Contractor Water Allotment allocated to the Contractor and stored in Stagecoach Reservoir and available for release to the Contractor in the next Water Year after 2022, and in each Water Year thereafter through the Water Year ending March 31, 2042, as stored at the annual peak storage occurring on or prior to July 15<sup>th</sup> of such Water Year, without regard to subsequent releases or evaporation or reasonably unpreventable leakage of such water and without regard to whether or not all or any part of such water has been carried over in storage from the prior year, shall be an amount equal to the greater of (i) the price per acre foot charged to the Contractor for the Contractor Water Allotment for the immediately prior Water Year, or (ii) the product obtained by multiplying the price per acre foot charged to the Contractor for the Contractor Water Allotment stored in the Reservoir and allocated to the Contractor for the immediately prior Water Year by a fraction, the denominator of which is the Consumer Price Index for All Urban Consumers ("CPI-U"), Denver-Aurora-Lakewood Metropolitan Area, "All Items" (1982 – 84 = 100), published by the Bureau of Labor Statistics of the United States Department of Labor (the "CPI") for the semi-annual period ending December 31 in the Water Year prior to the prior Water Year and the numerator of which is the CPI for the semi-annual period ending December 31 of the prior Water Year. In the event the Bureau of Labor Statistics discontinues publication of the CPI in the format existing as of the Effective Date then the District shall select a reasonably comparable price index, which index shall be substituted for the CPI in this paragraph. If the base year used in computing the CPI is changed, the adjustment to the purchase price shall be changed accordingly, so that all increases in the CPI are considered, notwithstanding any such change in the base year.

2. Unless otherwise agreed by the Contractor and District, for all Water Years after the Water Year ending February 28, 2042, the alternative pricing provided in Paragraph 1 above is terminated, the suspension of operation of **Section 3.3** of the Agreement is terminated, and the annual

Existing Contract **References** Should be Verified for Consistency for Individual Contractors

price per acre foot for the Contractor Water Allotment allocated to the Contractor and stored in Stagecoach Reservoir and available for release to the Contractor shall after February 28, 2042, be as provided in **Section 3.3** of the Agreement.

3. Further Miscellaneous Amendments of the Agreement:

A. In Section 1(a), the total capacity of Stagecoach Reservoir is amended from 33,275 AF to 36,875 AF as a result of the expansion of the spillway of Stagecoach Dam.

B. Section 1(b) which described allocation of storage water contracts anticipated for Stagecoach Reservoir is deleted, inasmuch as Tri-State has terminated all of its allotment contracts of Stagecoach Reservoir storage water. The Contracted Water shall be stored as part of the Municipal/Industrial Pool of Upper Yampa, to be stored in the priority of such Contract Pool under the Stagecoach Fill Policy.

C. Delete the first sentence of **Section 1.1** in lieu thereof:, The District agrees, subject only to physical water supply conditions, the administration of water rights by State of Colorado water officials and the terms of this Contract, to store in Stagecoach Reservoir prior to July 15th of each calendar year **200** acre feet of water for release for the Town of Hayden's use, upon request between July 15<sup>th</sup> and the last day of February of the then current water year." Add the following at the end of **Section 1.1**: "For purposes of this Contract, a Water Year shall be the 12-month period from March 1 in a year through the last day of February of the subsequent year, unless the beginning and end of such Water Year is changed by the Division Engineer for Water Division 6. Storage water cannot be released and used by the Contractor for uses which have not been decreed absolute to the District, so as not to trigger directives by the Division or State Engineers against the District in subsequent water years to "paper fill" or subsequently restrict the fill rights of Stagecoach Reservoir. Specifically, the Contractor may not direct or control or contract to direct or control the allotted water for any use downstream of the confluence of the Elk River with the Yampa River for "instream flow or environmental or recreational uses ("IER Uses")" without the prior written consent of the District, whose consent may be granted, denied, or conditioned in its sole discretion, since the District water rights for storage of Stagecoach Reservoir water may not include absolute decreed uses for IER purposes.

D. Delete the first sentence of **Section 1.2** of the Agreement and insert the following in lieu thereof: "Except in times of emergency, the Contractor shall give at least 48 hours advance written notice to the District specifying the time and quantity of water requested to be released out of the Contractor Water Allotment in Stagecoach Reservoir. The parties acknowledge that the turbine capacity to release stored water through the outlet works of Stagecoach Reservoir is 105 cfs, and that the District may diminish the instantaneous rate of release of the Contractor Water Allotment after a request from Contractor, proportionally with diminishment of rates of releases of stored water to other contractees out of the Municipal/Industrial Pool without discrimination, to the extent that, in conjunction with other adjusted required release rates by the District, the maximum safe release rate of stored water and required bypasses through the outlet works is not exceeded."

10/20/21 UYWCD Board Approved, Town of Hayden

Existing Contract **References** Should be Verified for Consistency for Individual Contractors

E. Pursuant to **Section 3.2** of the Agreement, the Contractor did not give to the District written notice of its election to terminate its continuing right to purchase the Contractor Water Allotment annually from the District, so that the parties acknowledge and agree that the Contractor is now obligated to purchase the Contractor Water Allotment annually from the District pursuant to the Agreement as amended hereby for the life of Stagecoach Reservoir.

EXCEPT AS ABOVE PROVIDED AND AMENDED, all terms, covenants, and provisions of the Agreement are hereby ratified and confirmed. The parties agree that this Amendment is for the purpose of resolving the purchase price for the water allocated to the Contractor for Water Years 2022 and following through until February 28, 2042, under the Agreement, as amended hereby, and to amend certain provisions of such Agreement, and this Amendment shall not apply to determination of the purchase price in Water Years subsequent to February 28, 2042 nor in anyway prejudice the rights of either party under the Agreement as amended hereby.

Dated on the respective dates set forth below, effective on and as of the 1<sup>st</sup> day of March, 2022.

Upper Yampa Water Conservancy District

Town of Hayden

By: \_\_\_\_\_  
President Date

By: \_\_\_\_\_  
Title Date



UPPER YAMPA WATER CONSERVANCY DISTRICT - 2022 BUDGET DRAFT, AS OF NOVEMBER 17 2021

November 17, 2021, accrual basis

**DRAFT**

	2020 ACTUALS	2021 BUDGET	2021 BUDGET	2022 BUDGET DRAFT	STAGECOACH	YAMCOLO	STILLWATER DITCH	GENERAL FUND	OPERATING	CAPITAL
	audited	Amended May 19, 2021	Proposed amended Nov 17, 2021	rev Nov 17, 2022						
<b>Fund Opening Balance including Encumbered Funds</b>	16,012,911	17,536,141	17,536,141	18,120,323						
<b>Encumbered Funds</b>	6,212,424	5,870,780	5,870,780	6,131,078	5,466,773	504,061	70,669	89,575		
Emergency Facilities Reserve	4,485,814	4,606,931	4,606,931	4,814,243	4,486,256	296,572	31,415			
Capital Maintenance Reserve	752,436	772,752	772,752	807,526	560,783	207,489	39,254			
Stagecoach Wetlands Mitigation Reserve	419,734	419,734	419,734	419,734	419,734					
Routt County Road #14 Contribution	500,000									
Tabor Reserve	54,440	71,363	71,363	89,575				89,575		
<b>Capital Projects Development Fund</b>	9,800,487	11,665,361	11,665,361	11,989,245				11,989,245		
<b>Revenues</b>										
<b>Facilities</b>										
<b>Stagecoach Reservoir</b>										
Power Sales	162,432	195,000	195,000	193,000	193,000				193,000	
Water Sales	162,197	118,288	118,288	189,190	189,190				189,190	
<b>Yamcolo Reservoir</b>										
Water Sales	167,913	167,937	167,937	169,025		169,025			169,025	
Stillwater Ditch & Reservoir Company	11,556	8,408	8,408	8,850			8,850		8,850	
Elk River Augmentation water sales			1,668	476					476	
Property taxes	2,644,690	2,520,875	2,520,875	2,720,454				2,720,454	1,871,496	848,958
Interest earned	124,735	31,045	31,045	11,300				11,300	11,300	
Other income	20,835									
Pass through income	72,761		70,477							
<b>revenues</b>	<b>3,367,118</b>	<b>3,041,552</b>	<b>3,113,697</b>	<b>3,292,296</b>	<b>382,190</b>	<b>169,025</b>	<b>8,850</b>	<b>2,731,754</b>	<b>2,443,338</b>	<b>848,958</b>
<b>Expenditures</b>										
<b>Operating</b>										
<b>Facilities</b>										
Stagecoach Reservoir	409,709	485,415	485,415	643,533	643,533				643,533	
Yamcolo Reservoir	116,440	150,543	150,543	154,277		154,277			154,277	
Stillwater Ditch & Reservoir Company	40,707	34,905	34,905	59,209			59,209		59,209	
<b>Administration</b>	262,197	329,216	329,216	344,750	131,005	37,922	10,342	165,480	344,750	
<b>Board of Directors</b>	125,671	114,232	114,232	117,913	44,807	12,970	3,537	56,598	117,913	
<b>External Affairs</b>	106,310	117,278	117,278	125,482	47,683	13,803	3,764	60,231	125,482	
<b>Finance</b>	103,206	154,304	154,304	147,310	55,978	16,204	4,419	70,709	147,310	
<b>Legal</b>	157,532	156,623	156,623	157,641	59,904	17,341	4,729	75,668	157,641	
<b>Planning</b>	53,869	95,053	95,053	283,571	107,757	31,193	8,507	136,114	283,571	
<b>Grants, Scholarships &amp; Public Information</b>	133,030	288,346	288,346	328,039	124,655	36,084	9,841	157,458	328,039	
<b>Treasurer fees</b>	80,543	77,854	77,854	81,614				81,614	81,614	
Pass through expenses	84,681		70,477							
<b>Subtotal Operating</b>	<b>1,673,894</b>	<b>2,003,770</b>	<b>2,074,247</b>	<b>2,443,338</b>	<b>1,215,321</b>	<b>319,794</b>	<b>104,350</b>	<b>803,872</b>	<b>2,443,338</b>	
<b>Capital</b>										
Stagecoach Reservoir	59,361	177,500	257,769	297,500	297,500					297,500
Yamcolo Reservoir	38,276	70,000	70,000	130,000		130,000				130,000
Stillwater Ditch & Reservoir Company	72,357	125,000	125,000	115,000			115,000			115,000
Office Space		2,500	2,500							
<b>Subtotal Capital</b>	<b>169,994</b>	<b>375,000</b>	<b>455,269</b>	<b>542,500</b>	<b>297,500</b>	<b>130,000</b>	<b>115,000</b>			<b>542,500</b>
<b>expenditures</b>	<b>1,843,888</b>	<b>2,378,770</b>	<b>2,529,515</b>	<b>2,985,838</b>	<b>1,512,821</b>	<b>449,794</b>	<b>219,350</b>	<b>803,872</b>	<b>2,443,338</b>	<b>542,500</b>
<b>net income (loss)</b>	<b>1,523,230</b>	<b>662,782</b>	<b>584,182</b>	<b>306,458</b>	<b>(1,130,630)</b>	<b>(280,769)</b>	<b>(210,500)</b>	<b>1,927,882</b>		<b>306,458</b>
<b>Ending Fund Balance</b>	<b>17,536,141</b>	<b>18,198,924</b>	<b>18,120,323</b>	<b>18,426,781</b>						

Ken Brenner, President

Andy Rossi, Secretary

1,494,754,750			
1,820	1,252		0,568
2,720,454	1,871,496		848,957
	69%		31%



**DRAFT 2022 Stagecoach Reservoir Existing Municipal Contract Cost Analysis**

2022 UYWCD Proposed Budget Values	2022 District	Pricing Category (for all facilities)	Included/Excluded Stagecoach Pricing?	Rate of Inclusion in Stagecoach Pricing (%)	Allocation to Pricing (\$)	Direct/Indirect Expense Allocation		Example of Existing Municipal Contract Contribution to Pricing with 15,000 AF Denominator		
	Wide Proposed Budget (\$)					Direct (\$)	Indirect (\$)	Direct (\$/AF)	Indirect (\$/AF)	
<b>EXPENSES</b>										
07 · STAGECOACH Labor, O&M	643,633.00	direct expense	included	100%	643,633.00	643,633.00		42.91	0.00	
08 · YAMCOLO Labor, O&M, FS Lease *	154,277.00	direct expense	excluded	0%	0.00			0.00	0.00	
09 · STILWATER DITCH & RES CO.	59,209.00	direct expense	excluded	0%	0.00			0.00	0.00	
10 · ADMINISTRATION	344,750.00	indirect expense	partial	38%	131,005.00		131,005.00	0.00	8.73	
11 · BOARD OF DIRECTORS	117,913.00	indirect expense	partial	38%	44,806.94		44,806.94	0.00	2.99	
12 · EXTERNAL AFFAIRS	125,482.00	indirect expense	partial	38%	47,683.16		47,683.16	0.00	3.18	
13 · FINANCE	147,310.00	indirect expense	partial	38%	55,977.80		55,977.80	0.00	3.73	
14 · LEGALS	157,641.00	direct & indirect	partial	Projected	34,681.02	12,485.17	22,195.85	0.83	1.48	
15 · PLANNING	283,571.00	indirect expense	partial	38%	107,756.98		107,756.98	0.00	7.18	
16 · PUBLIC INFO (Grants Excluded)	181,962.00	indirect expense	partial	38%	69,145.56		69,145.56	0.00	4.61	
17 · TREASURER TAX COLLECTION FEES	81,614.00	indirect expense	excluded	0%	0.00		0.00	0.00	0.00	
Subtotals:						1,134,689.46	656,118.17	478,571.29	43.74	31.90
<b>CAPITAL and RESERVES</b>										
STAGECOACH DEPRECIATION			excluded	0%		94,374.07		0.00		
STAGECOACH DAM EMERGENCY REPAIR AND REPLACEMENT RESERVE (10% of total estimated emergency reserve)						149,541.87		9.97		
STAGECOACH DAM NON EMERGENCY LONG TERM CAPITAL MAINTENANCE RESERVE (one year contribution to long-term (30-year) maintenance reserve)						77,469.51		5.16		
Subtotals:						227,011.37	227,011.37	0.00	15.13	0.00
<b>EXPENSES + CAPITAL</b>						<b>1,361,701</b>			<b>90.78 /AF</b>	
<p><b>Notes:</b> ·The UYWCD developed the methodology for the application of direct and indirect expense costs of Stagecoach Reservoir with the assistance of accounting consultant Anton, Collins, Mitchell LLP (ACM). The percentages of indirect expenses included in the pricing calculation are based on a time and cost data analysis performed with the assistance of ACM of the UYWCD staff time and resources applied to Stagecoach Dam and Reservoir.</p> <p>·The UYWCD staff and consulting engineers analyzed Stagecoach Dam to determine recommended Capital Maintenance and Emergency Reserves.</p>										
									<b>DRAFT</b>	

Stagecoach Reservoir Existing Contracts Fixed Price CPI Adjustment Calculations

Stagecoach Reservoir Original/Existing Contract	Contract Start Year	Contract Start (Fixed) Price (\$/AF)	Adjusted Price, Half 1 to 2021 Half 1 (\$/AF) <sup>1</sup>	Adjusted Price, 2021 September Index (\$/AF) <sup>2</sup>
Original Municipals	1989	35.00	84.09	85.90
Industrial: Colo Ute <sup>3</sup>	1985	35.00	90.88	92.92
Industrial: Tristate	1992	43.50	93.17	94.60

Notes:

1. CPI for All Urban Consumers (CPI-U), All items in Denver-Aurora-Lakewood, CO, HALF 1.
2. Calculations Updated on: November 11, 2021 with September 2021 data.
3. Colo Ute contract transferred to Tri-State with 1992 contract.

Town of Hayden  
TOWN MANAGER'S MANAGEMENT DISCUSSION AND ANALYSIS  
For the fiscal year ended December 31, 2021



Prepared by: Mathew Mendisco, Town Manager

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February 3, 2021

Honorable Mayor, Mayor Pro-tem, and Members of the Town Council:

Per section 4-1 (b)(5) the Town Manager is to “prepare and submit to the Council at the end of each fiscal year a complete report on the finances and administration activities of the Town”. This Management Discussion and Analysis is submitted to fulfill that requirement for the calendar year ending December 31, 2021 which covers the following:

- State of the Town
- Profile of Government
- Conclusion

In summary the Town has a good financial and administrative balance considering we just finished the second year that marked the worst global pandemic since 1917. We adopted the Hayden Forward Master Plan in January 2021, we are growing sustainably, we adopted a new purpose, vision, mission and manifesto statements, while working to maintain our community action plans and values. As the Town’s service needs continue to increase, we have seen increases in businesses and population growth. The 2022 – 2025 budget is the largest budget Hayden has adopted in its history. However, this budget is the most sustainable building a great quality of life for our residents and businesses.

My continued goal is to support the Council and the Community, understand the issues in-front of us, and manage the Town administratively so we as a community can make informed decisions based on a diversity of ideas to chart the future. I am proud to say I can’t think of one decision or policy that was not rooted in balanced information which led to a balanced decision by the Council; be proud of yourselves you deserve it. As you lead the Town at a policy level, we will lead it at the administrative level ensuring we meet our service level demands and creating an amazing quality of life for everyone in Hayden. Our broader goals must always be an excellent quality life for the community, fiscal resiliency, and administrative sustainability. We must continue to “Think Different” (Steve Jobs), and always bear in mind that our resolve to succeed is more important than any other (Abraham Lincoln).

Sincerely

Mathew Mendisco  
Town Manager

**Town of Hayden**  
**List of Elected, Appointed Officials and Town Staff**  
**December 31, 2021**

**Elected Officials**

Mayor	Zach Wuestewald
Mayor Pro-Tem	Bob Reese
Councilmember	Ryan Banks
Councilmember	Ed Corriveau
Councilmember	Trevor Gann
Councilmember	Janet Hollifield
Councilmember	Casey Bowman

**Appointed Officials**  
**Planning Commission**

Planning Commission Chair	Amy Williams
Planning Commission Vice-Chair	Michelle Lewis
Commissioner	Tim Frentress
Commissioner	Emily Waldron
Commissioner	Melinda Dudley
Commissioner Alternate	Kimmi Lehman

**Parks and Recreation Board**

Chair	Cassie Turnipseed
Vice-Chair	Samantha Scott
Council Representative	Ryan Banks
Board Member	Jason Troyer
Board Member	Lance Spafford
Board Member	David Friday
Board Member	Mark Lehman
Board Member	Erica Royer

**Board of Adjustments**

Board Chair	Steve Dunn
Board Member	Tim Frentress
Board Member	James Lewis

**Hayden Economic Development Commission**

Chair	Christy Sinner
Vice-Chair/Airport Representative	Kevin Booth
Council Representative	Trevor Gann
Board Member	Erin Orr
Board Member	Caroline McClenahan
Board Member	Steve Herron
Board Member	Jay Hirschfeld

**Town Staff****Administration**

Town Manager  
 Town Attorney  
 Town Clerk  
 Utility Clerk  
 Finance Manager  
 Fellow

Mathew Mendisco  
 Mike Holloran  
 Sharon Johnson  
 Sarah Hagins  
 Andrea Salazar  
 Allesha Beaulieu

**Parks and Recreation**

Parks and Recreation Director  
 Fitness Director  
 Hayden Center Guest Services Supervisor  
 Hayden Center Guest Services  
 Hayden Center Guest Services  
 Facility Worker

Josh Jones  
 Jamie Boeri  
 Jane Hendricks  
 Lynn Laman  
 Billy Doolin  
 Cassie Turnipseed

**Arts and Culture**

Arts Director

Rachel Wattles

**Planning and Economic Development**

Planning/Economic Development Director

Mary Alice Page-Allen

**Public Works**

Public Works Director  
 Public Works Superintendent  
 Water and Wastewater Manager  
 Parks Superintendent  
 Parks Worker  
 Plant Operator  
 Plant Operator  
 Public Worker  
 Public Worker

Bryan Richards  
 Franklin Case  
 Scott Price  
 Kyle Barrett  
 Brandon Murray  
 Skyler Cless  
 Tyler Hockaday  
 Tanner Guire  
 Taylor Otto

**Police Department**

Police Chief  
 Police Administration  
 Police Sargent  
 Police Officer  
 Police Officer  
 Police Officer  
 Police Officer  
 Code Enforcement

Greg Tuliszewski  
 Kristen Corriveau  
 Shawn Hockaday  
 Seth Huntington  
 John Kregar  
 Dana Christensen  
 Matthew Marchbanks  
 Meredith Murray

**Municipal Court**

Municipal Judge  
 Court Clerk

Colette Erickson  
 Kristen Corriveau

### **Management’s Discussion and Analysis (MD&A)**

This report pulls information from several sources of information from the Town 2022 - 2025 budget, November 2021 financial statements, State Statute, Town organizational chart, Hayden Home Rule Charter, Department of Local Affairs (DOLA) Demographer’s office, 2021 Hayden Forward Master Plan, as well as staff research of current economic trends. The structure of the report is designed to give the Council a snap shot of the “State of the Town” as of December 31, 2021 and a financial and administrative outlook for 2022. The report starts with an executive summary then a “State of the Town” report. This report is not meant to take the place of the MD&A in the 2020 audit, it’s a snap shot in time as of December 2021.

#### **Executive Summary**

The Town was very active in 2021 with continued investments in creating resiliency. I have listed a few successes of 2021:

- We opened the Hayden Center March 2021 and since that time we have exceeded memberships and sales tax revenue categories while keeping expense fairly inline. We did not increase our rates for 2022.
- We have launched our creative arts programming and plan to continue expansion of that program to include public art, performances, concerts, etc.
- Infrastructure investments are a continuing need although we have shortened our gap from 2017 from 20 million in need (which did not anticipate the new waste water and water plant needs in 2028 and 2033) to around 14 million.
- Growth has been steady with population estimates of 2,100 people; Hayden in 2017 was around 1700.
- Sales tax collection is the highest its been ever and property values are the highest they have been ever.
- Staffing continues to grow and employee retention is very high considering the rest of the nation’s trends. In the last three years we have had 1 employee leave the Town and they were moving to a different state.
- TK opened January 31<sup>st</sup>, 2022.

. Yet, 2021 will forever be marked as the second year of the COVID-19 global pandemic and we continued to deal with issues of public health and how we should best respond to the needs of the community. Our challenges remain the same as highlighted in the Hayden Forward Master Plan: Promote and Enhance Healthy Living, Focus on Education, and Maximizing Economic Development. Surprisingly, as we budgeted conservatively for 2021 not knowing what impacts would have on travel etc, we ended the year with higher sales tax collections than 2020 which was still the best year Hayden had collected since 2005. After investigation of the data points Hayden was somewhat insulated from the pandemic declines for several reasons, most notably a majority of our businesses and people were all working in essential businesses/jobs. The larger valley did have a spike in unemployment but a majority of those jobs were in the “food and beverage” industry. Overall Hayden’s economy is continuing to experience growth.



The community saw significant investment by the Town and the private sector in our economy (over 2.5 million) which is helping continue to build a resilient and sustainable future. The 2021 Council's goals were the following:

1. Provide excellent level of service for citizens.
2. Continued infrastructure planning and investment.
3. Continued investment in Town staff.
4. Focused economic development efforts that create an environment of entrepreneurship with a foundation in business retention expansion and attraction.

The Town continued to experience significant growth in the residential sector similar to 2020 levels and some commercial growth (three new businesses and expansion of three business). However, one significant thing in residential happened that was unexpected but kept with trends across the nation and Colorado specifically; home prices in Hayden increased from January 2020 to December 2021 by \$200,000 or 66%. This rapidly pushed Hayden into a housing crisis because our average monthly income (AMI) is \$58,000 per year. Compound that with the childcare crisis that forced a lot of women out of the workforce and home purchase is becoming out of reach for many residents in Hayden. But, homes on the market are still selling and average days on the market even in December was around 5. The reality is that Steamboat Springs, CO (Steamboat) and even Routt County continues to build high end homes selling in the 1.2-to-1.3-million-dollar range. Combine that with people's ability to work remotely/geographically neutral and you get a economic situation that is creating a housing crisis for those that are not earning in the 100K and up income level. The deal with this issue the Town Council created the Hayden Municipal Housing Authority to help foster some public private partnerships to build "start-up housing" so people with an average AMI of 58K can afford to purchase a home and begin building real estate wealth.

The most important thing this report shows is the Council taking actions towards sustainability. The Town through grant acquisition and grant making saw private investment in commercial growth over 1.5 million breaking the previous year at 1.2 million. Those investments at buildout will provide over 10 primary jobs paying above AMI. We improved our infrastructure with solar installation at three facilities and 2022 will finally bring multi-modal sidewalks along Hwy 40. We will also improve our wastewater collection systems and water systems continuing the trends of infrastructure investment.

Staff analysis of economic trends still show a slow but steady of growth. Our constant push to diversify our economy with primary jobs that help people in every walk of life have a good paying job that helps them care for their family and have a bright future.

As a community, we all know what challenges lie ahead. Hayden Station is slated to close by 2028 (with facilities in Craig having similar dates), the pandemic impacts will be felt for years, and housing is now at the forefront both challenges and opportunities. These effects will create losses there is no question, but those losses will also create opportunity if we work hard to

create resiliency and sustainability. Now is the time to work with our partners to create opportunity; now is the time to think differently; now is the time to invest in ourselves and our community; and above all else now is the time to take action. We are gifted with some time to mitigate our incoming negative economic impacts. Our current strategies and approach is crafted in the budget goals the Council adopted for 2022 which are below:

1. Provide an excellent level of service to the citizens of Hayden.
  - We have fully funded our core services of utilities, roads, facilities maintenance, recreation, and public safety).
  - We have expanded our core services to include creative arts as part of the Hayden Center.
  - We will be performing a staffing audit in 2022 and wage survey in 2023 to determine staffing needs and sustainable wages.
  - We have an official community survey budgeted for 2023.
  - We will begin to address the community health shortages through public/private partnerships.
2. Continued infrastructure planning and investment.
  - We will complete the Hospital Hill tank restoration project in 2022.
  - We will replace almost all clay sewer lines in 2022 (through grant paying for 80% of cost).
  - We will complete a CIP for roads similar to water and sewer infrastructure.
  - We will complete the TK childcare center in 2022 providing a much-needed gap in childcare services for Hayden residents.
  - We are increasing the water and sewer service bills by 3% (\$1 dollar per month) to keep up with inflation and capital costs coming up in years ahead.
  - We will update the water and sewer CIP.
  - In 2023 we complete a storm water CIP.
  - Phase 1 of the sidewalk project on Hwy 40 will be completed which is two sections.
  - Hayden Center should be completely done by December 2022.
3. Business retention expansion and attraction (Economic Development Efforts)
  - We will launch our marketing plan in January 2022.
  - We should be able to increase our econ work to include 32 hours a week between Fellow, Routt County Economic Development Corp, and REDI grant capacity.
  - The Build Back Better Challenge is moving ahead.
  - We will be launching our long-awaited BREA program.
  - We are moving ahead on the housing assessment and Muni Authority to address our long-term housing needs.
4. Staff Retention
  - We have one additional officer coming on in 2022 to help get the PD to fully staffing levels.
  - We continue to enhance our work life balance efforts.
  - Training budgets are fully funded
  - Health plan is fully funded in all three years at current levels
  - We have our next wage survey scheduled for 2023

We have made several investments in our future and must continue if we are going to truly build a sustainable community. Similar to a business that is looking to responsibly expand, we must do it one business and one job at a time. Traditional investments will include the Town's core functions such as roads, water/sewer, pedestrian safety, and parks and recreation. Our shift from traditional thinking to entrepreneurial thinking will include community investments like the Hayden Entrepreneurial Ecosystem Project, Hayden Center, Public/Private Partnerships, housing, investment in education, and above all else creating a well-rounded community with a high quality of life. I think that was captured in the Town's new purpose statement, vision, mission and manifesto which are below:

**Purpose: We exist to be a place to thrive.**

**Vision: Anyone looking for a more authentic life can find connection, acceptance, and prosperity.**

**Mission: Empowering each neighbor with sustainable investments, sufficient outdoor recreational resources, an inclusive & welcome culture, and diverse means & opportunities to prosper. Values: Authenticity, Heritage, Welcoming, Inclusivity, Community, Optimism, Thoughtfulness, Intelligence.**

**Positioning: For anyone looking for a place to thrive, Hayden welcomes and empowers every neighbor to live their best life. Unlike other communities, Hayden offers genuine acceptance, affordability, authentic community, and diverse means & opportunities to prosper.**

While staff is conservative with our economic predications, the increase in sales taxes in 2021 and property value increases have signaled that Hayden has weathered the COVID-19 storm better than a lot of others. Residential growth continues at a steady pace, commercial activity continues to increase (even with the losses of COVID-19), and our infrastructure is starting to have a more stable trajectory. Some 2022 highlights are below:

- Business Accelerator: Design will be completed by June 2022 and we hope to rebuilding starting in October 2022.
- The Northwest Colorado Business District (the proposed business park by the Airport) already has three committed tenants and 3 potential tenants for a total of 78 potential new jobs.
- Growth is slighted to continue for at least 2022.
- Phase one renovations at the Hayden Center are coming to a close and hopefully all renovations will be finished in 2022.
- The Hayden Center was able to offer fitness classes, arts and community health classes, and we hosted numerous events including a 200-person conference.
- TK is open and offering infant care.

The biggest challenge facing Hayden in the long-term and near term are housing, fossil fuel resource extraction and resulting energy production, and ensuring that we don't lose our community values to unsustainable growth. Our economy is changing (like the rest of the nation) and we must chart a new future. The good news, where there is change there is opportunity. Opportunity for us to seize the moment and exert influence on the outcomes. We have 7 years till Hayden's Stations transition and Xcel has committed that with PUC approval they will pursue a retrofit of the facility saving many jobs that would have been lost. Routt County and Hayden since the early 1900's was built on the backs of coal miners and workers at Hayden Station. Many of them faced the same uncertain future and they had to make changes to ensure a prosperous future. Coal workers have given the Town so much and we can't be thankful enough. We promise to embrace a future that includes you as well as everyone else as we chart this economic transition together. We are all interconnected and everyone pulling their weight (people, businesses, government, non-profits, and others) will produce the results needed for success. Steamboat Springs, will always be the economic hub of the Yampa Valley, but Hayden can be a thriving community and we are taking the steps to succeed and make that happen.

In 2022 our key to success will be continued infrastructure investment, taking advantage of economic opportunities, continuing to build positive partnerships both private and public, continuing to streamlining Town operations, and most importantly to "Think Different" (Apples tagline in 1997). The work for resiliency and sustainability will never be done. Economic disruption will be coming soon with energy sector transition, there is always another recession on the horizon, location neutral workers continue to change the landscape (which is already happening), and global trade issues shifting our agricultural practices and having impacts on materials which are impacting the cost of building. Our work to try and prepare for these types of disruptions (key word prepare not control) is in-bedded in our budget and future operational plans. The Town is poised to seize on many opportunities as they arise with a lot of hard work. Our goal since the 2017 Community Assessment has been to create a **resilient** and **sustainable** community. Those two words mean different things but success of both are paramount to the Town's success. I would end the summary with the Town's newly adopted manifesto:

#### We are Hayden

We believe in living true to our roots and true to ourselves. That each of lives looks differently, each is equally valuable, and freedom comes from living it in our own way.

We stand in awe at the beauty that surrounds us and deeply grateful to live here. Thankful for our ancestors and the road they paved for us and honored to do the same for our children and grandchildren. Through hard work, optimism, and each other we will leave this place better than we found it.

We believe wholesome is underrated and simple is misunderstood. We are proud of our way of life, even as the world changes around us. We offer welcoming, open arms to those that come to us, always making room for more, but never at the expense of our values.

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We believe home really is where the heart is. Where community is cultivated, memories are shared, values are created.

We are the Heart of the Yampa Valley.