



AGENDA
HAYDEN TOWN COUNCIL MEETING
HAYDEN TOWN HALL – 178 WEST JEFFERSON AVENUE
THURSDAY, MAY 2, 2024
7:30 P.M.

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

Join Zoom Meeting

<https://us02web.zoom.us/j/81996476776?pwd=N284bThVSlc4amplZ3oyb0VMTUNKUT09>

Meeting ID: 819 9647 6776

Passcode: 700776

One tap mobile

+16699009128,,81996476776#,,,,,0#,,700776# US (San Jose)

+12532158782,,81996476776#,,,,,0#,,700776# US (Tacoma)

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 7:00 P.M. – 7:30 P.M.

1. STAFF REPORTS

REGULAR MEETING – 7:30 P.M.

- 1a. CALL TO ORDER
- 1b. OPENING PRAYER/MOMEMT OF SILENCE
- 1c. PLEDGE OF ALLEGIANCE
- 1d. ROLL CALL
- 1e. COUNCILMEMBER REPORTS AND UPDATES

2. PUBLIC COMMENTS

Citizens are invited to speak to the Council on items that are not on the agenda. All individuals who desire to speak during public comments must sign in using the sheet available by the Town Clerk. There is a three 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.

3. PROCLAMATIONS/PRESENTATIONS

4. 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 Councilmember requests to pull an item from the consent agenda.

- A. Consideration of minutes for the Special Meeting April 25, 2024 Page 3
- B. Consideration to approve payment bill vouchers dated April 25, 2024 in the amount of \$101,304.73 Page 8

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.

C. Consideration to approve Hayden Tree Board Appointments

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5. OLD BUSINESS

6. NEW BUSINESS

A. ABATE MINOR SUBDIVISION

Page 29

- i. Public Hearing: Abate Minor Subdivision, a Final Plat dividing 0.706 acres of property located in Lot 11, Valley View Subdivision, also described as 499 Enterprise Street, into two (2) parcels
- ii. Review and Consideration for Approval and Authorization for the Mayor to Sign a Final Plat for The Abate Minor Subdivision, a Final Plat dividing 0.706 acres of property located in Lot 11, Valley View Subdivision, also described as 499 Enterprise Street, into two (2) parcels.

B. Review and Consideration for Approval a Memorandum of Understanding (MOU) Between the Town Of Hayden and Virridy Carbon LLC

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C. Review and Consideration for Approval the Bylaws of the Hayden Tree Board

7. PULLED CONSENT ITEMS

8. STAFF AND COUNCILMEMBER REPORTS AND UPDATES (CONTINUED, IF NECESSARY)

9. EXECUTIVE SESSION (IF NECESSARY)

10. ADJOURNMENT

Work Session

Staff & Councilmember Reports

HAYDEN CENTER

Rhonda Sweetser, Director Parks and Recreation : We have the High Altitude Clinic coming. Holly is working on tennis courts on 3rd Street Park and adding outside pickle ball court. Starting adult basketball. Interviewing two more yoga instructors. Hayden Center is up on the membership. Peewee wrestling finished this weekend; some are going to additional tournaments. Baseball and softball registration closed. Did some recruiting to have full teams. Soccer coming soon. Hayden Parks and Recreation Board working on Huck Finn Day with Department of Wildlife. Hayden Daze is July 12-13th.

POLICE

Chief of Police Scurlock: Getting on the better side of staffing. Sargeant started last week and Routt County Jail employee will be starting. One officer and community service officer open. Detective open. Marchbanks will be moving up the leadership/supervisor track.

PUBLIC WORKS

Bryan Richards, Public Works Director: Construction season is upon us. The river is dirtier and plant focused on keeping the water clean. Maintenance items. Phone line install on Routt County Road 33 for better usage for plant and SCADA communication. Storm drainage on Shelton Lane (dry creek subdivision) improvements for drainage. 2nd Street alley curb stops fixed; making sure in shape prior to Main Street Apartments use. Street sweeping. New fiber line on Washington Street. Parks being aeriated and prepare the ballfields.

PLANNING

Tegan Ebbert, Community Development Director: CCCMA Conference last week and catching up on emails and application requests.

ADMINISTRATION

Mathew Mendisco, Town Manager: Northwest Business Park grand opening next week. Working through some kinks. Onsite work the most expensive. Offsite is ahead of schedule. Agreement with when a utility within 200 feet of a mining operation. Hayden Center Grand Opening May 15th at 5.p.m. Police department almost up to full staffing. SB 24-190 Rail and Coal Transition measures are looking at fee on rental cars to help fund mountain rail; second bill, freight and employer tax credits for companies to bring rail type activities. Will see a Tabor type bill regarding property tax limits. Colorado Governor is on the side of lowering taxes which could reduce the revenue for municipalities.

Sharon Johnson, Town Clerk: May 11th Hayden Clean UP day and Animal Licensing and Vaccinations.

Andrea Salazar, Finance Manager: Financials in Consent Agenda and working on remote audit.

Staff reports will continue at the end of the meeting.

Mayor Banks called the regular meeting of the Hayden Town Council to order at 7:30 p.m. Mayor Pro Tem Reese and Councilmembers Gann, Hicks, Bell and Carlson present. Also present were Town Manager, Mathew Mendisco, Town Clerk, Sharon Johnson, Police Chief, Scott Scurlock, Public Works Director, Bryan Richards, Community Development Director, Tegan Ebbert, Finance Manager, Andrea Salazar, and Hayden Center Recreation Director, Rhonda Sweetser.

**COUNCILMEMBER
REPORT AND UPDATE**

Mayor Banks asked about May 4th Cog Run and Auction and if would be any issues on traffic. **Councilmember Gann** requested a list of town owned properties and asked if the town still owned the dirt bike track. Mathew Mendisco, Town Manager affirmed. He also mentioned the racetrack and fire training tract is owned by the town. A study on use of the racetrack property is being completed. Question on continue to own or to sell to another to provide amenities. **Mayor Pro Tem Reese** spoke to the Rail Transportation Authority, every municipality in Routt County, Moffat County and Craig would need to participate. He was concerned about bringing it to the voters in November with a Mountain Rail and big issue on how to pay for it. He believes we need to go to voters if funding mechanism in place. Mathew Mendisco, Town Manager explained, the mountain is committed to \$500,000 to \$1m annually to move the RTA forward. Hayden Town Council committed to funds for RTA and may see an IGA with proportionate share. **Councilmember Carlson** updated on the Arts Commission; Hayden Center grand opening is May 15th. Free dance and art class. Hayden Center received \$40,000 for arts for 3 years; Schlessman Family Foundation impressed with arts and programming. **Mayor Pro Tem Reese** asked about the need for HOV permits. Chief Scurlock explained they were not street compliant for safety and the permit allows non-street legal vehicles to be on the streets of the Town of Hayden, with the exception of Highway 40.

**OPENING PRAYER
MOMENT OF SILENCE**

Mayor Banks offered a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Banks led the Pledge of Allegiance.

AMEND THE AGENDA

Mayor Banks moved to amend the agenda to add Consent Item H. Consideration to approve payment bill voucher dated April 24, 2024 in the amount of \$176,800. Councilmember Hicks seconded. Roll call vote. Councilmember Carlson – aye. Councilmember Gann – aye. Councilmember Hicks – aye. Councilmember Bell – aye. Mayor Pro Tem Reese – aye. Mayor Banks – aye. Motion carried.

PUBLIC COMMENTS

None.

**PROCLAMATIONS/
PRESENTATIONS****Arbor Day Proclamation**

Bryan Richards, Public Works Director, shared the Town received a \$8k grant and will plant trees at Dry Creek Park; it's been 13 years and no trees. Big focus to get them going and recommission the Tree Board. Trees in right of way and property owner responsibility.

CONSENT ITEMS

Consideration of minutes
for the Regular Meeting –
April 4, 2024

Mayor Pro Tem Reese moved to approve the consent items. Councilmember Gann seconded. Roll call vote. Councilmember Carlson – aye. Councilmember Hicks – aye. Councilmember Gann – aye. Councilmember Bell – aye. Mayor Pro Tem Reese – aye. Mayor Banks – aye. Motion carried.

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

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Consideration of bill
payment voucher – April
17, 2024 in the amount of
\$1,000.00

Consideration of bill
payment voucher – April
15, 2024 in the amount of
\$244,549.09

Consideration of bill
payment voucher – April
22, 2024 in the amount
of \$30,416.36

Consideration to accept
Financials January 31,
2024

Consideration to accept
Financials February 29,
2024

Consideration to accept
Financials March 31, 2024

Consideration of bill
payment voucher – April
24, 2024 in the amount
of \$176,800

OLD BUSINESS

Ordinance 734 General
Penalty for Code Violation

Mathew Mendisco, Town Manager, explained we needed to fix the Hayden Municipal Code to be congruent with the Colorado State Revised Statutes as it is out of sync. As a Municipal Court not-of-record, the penalty and fee for code violations will be amended.

Public Hearing: Ordinance
734 An Ordinance
Amending Section 1.12.10
of the Hayden Municipal
Code Concerning the
General Penalty for Code
Violations

Public Hearing opened at 7:58 p.m.
No public comments.
Public Hearing closed at 7:59 p.m.

Review and

Consideration to Approve Ordinance 734 An Ordinance Amending Section 1.12.10 of the Hayden Municipal Code Concerning the General Penalty for Code Violations

Mayor Banks moved to approve Ordinance 734 An Ordinance Amending Section 1.12.10 of the Hayden Municipal Code Concerning the General Penalty for Code Violations. Councilmember Hicks seconded. Roll call vote. Councilmember Bell – aye. Councilmember Gann – aye. Councilmember Hicks - aye. Councilmember Carlson – aye. Mayor Pro Tem Reese – aye. Mayor Banks – aye. Motion carried.

NEW BUSINESS

Hayden Gulch Terminal Subdivision, Filing No. 6, Final Plat

Tegan Ebbert, Community Development Director, introduced the applicant, Fred Eden, 19437 Highway 59 N, to speak on his behalf. Mr. Eden explained at the tail end of the process he intends to deed the parking lot to the Town of Hayden and dedicating the waterline that will supply the business park and Shelton Street as it was not ever dedicated. Any agricultural lease on the subdivision, may need to amending in the lease. Tegan continued by presenting the plat map and clarifying the areas discussed.

Public Hearing: Hayden Gulch Terminal Subdivision Filing No. 6, a final Plat dividing 29.89 acres of property located in Lot 1, Hayden Gulch Terminal Subdivision, Filing No. 5, also described as 230 Hawthorne Street, into three (3) parcels.

Public Hearing opened at 8:05 p.m.
No public comments
Public Hearing closed at 8:06 p.m.

Review and Consideration for Approval and Authorization for the Mayor to Sign a Final Plat for Hayden Gulch Terminal Subdivision Filing No. 6, a final Plat dividing 29.89 acres of property located in Lot 1, Hayden Gulch Terminal Subdivision, Filing No. 5, also described as 230 Hawthorne Street, into three (3) parcels.

Mayor Banks moved to Approve and Authorize the Mayor to Sign a Final Plat for Hayden Gulch Terminal Subdivision Filing No. 6, a final Plat dividing 29.89 acres of property located in Lot 1, Hayden Gulch Terminal Subdivision, Filing No. 5, also described as 230 Hawthorne Street, into three (3) parcels with finding of facts 1.) The development application meets the standards of the Town of Hayden’s Development Code, is in consistent with the general goals and intent of the Hayden Forward Plan, and preserves the health, safety and welfare of the citizens of the Town of Hayden and conditions of approval 1.) The redlined changes to the plat identified by staff to Dowling Land Surveyors shall be made prior to submitting the final Plat for signature and recording. 2.) The applicant shall cause the Final Plat to be recorded within ninety (90) days from the date of approval. In the event that the plat is not recorded, the approval shall be deemed to be void and such plat shall not thereafter be recorded, unless and until the Mayor executes a written authorization for recording the Final Plat. Councilmember Bell seconded. Roll call vote. Councilmember Carlson – aye. Councilmember Hicks – aye. Councilmember Gann - aye. Councilmember Bell – aye. Mayor Pro Tem Reese – aye. Mayor Banks – aye. Motion carried

Review and Discuss a TNR Program for the Management of Stray Cats in the Town of Hayden

Chief Scurlock, presented a draft TNR/SNR program to collect Ferrell or community cats to be fixed and returned to the community as an alternative to euthanizing. They can no longer reproduce. Councilmember Hicks concurred and added the it will reduce the howling and cat calls. Urine smell for males subside. Population decreases and reduces the spread of disease. Balance between euthanize and socialize. She agreed it was a good summary and California has decreased the Ferrell cats. If unchecked disease spreads; no cost to town and Routt County Humane Society would absorb the cost. Cons are cats eat birds; folks don't want them returned to their area. It eradicates the population. Resources are here and groundbreaking. Kittens could be adopted out, others would be returned to centralized area or adopted as barn cats. If an owned cat is sterilized and returned to the community the owner may be upset. Overall, it is a beneficial program. Chief Scurlock will bring back an ordinance for review at the May 16th meeting.

PULLED CONSENT ITEMS None

STAFF AND COUNCILMEMBER REPORTS AND UPDATES CONTINUED None

EXECUTIVE SESSION None

ADJOURNMENT Mayor Banks adjourned the meeting at 8:29 p.m.

Recorded by:

Sharon Johnson, Town Clerk

APPROVED THIS 2nd DAY OF May 2024.

Ryan Banks, Mayor

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

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Date Paid	Voided
12901	1st Respond First Aid	005704	HC - First Aide Supplies	04/18/2024	274.50		
	Total 12901:				274.50		
8270	ACZ Laboratories	89341	Sage Creek Groundwater Sample	04/18/2024	250.00		
	Total 8270:				250.00		
4560	Alpine Bank	10MAY2024	Lease Payment - HPD	04/29/2024	53,100.00		
	Total 4560:				53,100.00		
1100	American Water Works Assoc	S0152450	Membership Dues	02/19/2024	412.00		
	Total 1100:				412.00		
13363	Bene, John	4222024-3	PWW Tournament	04/22/2024	100.00		
	Total 13363:				100.00		
1310	Boyko Supply Co	212823	Janitorial Supplies	04/17/2024	1,518.10		
	Total 1310:				1,518.10		
13361	Brazeal, Sydney	4222024-9	PeeWee Wrestling Referee	04/22/2024	100.00		
	Total 13361:				100.00		
13362	Burgard, Joseph	4222024-6	PWW Tournament Referee	04/22/2024	100.00		
	Total 13362:				100.00		
12906	Capital One	1655138657	Duplicate Payment	04/19/2024	208.24		
12906	Capital One	1655138657	HC - TV Wall Mount	04/19/2024	15.00		
12906	Capital One	1655138657	HC -Holiday Party	04/19/2024	26.24		
12906	Capital One	1655138657	HC - Locker room supplies	04/19/2024	33.70		
12906	Capital One	1655138657	ISS Cornhole Snacks	04/19/2024	45.62		
12906	Capital One	1655138657	HC - Kitchen Supplies	04/19/2024	48.76		
12906	Capital One	1655138657	HC - PWW Concessions	04/19/2024	113.50		
12906	Capital One	1655138657	PW - Shop Cleaning Supplies	04/19/2024	203.02		
12906	Capital One	1655138657	HC - Storage Boxes	04/19/2024	30.50		
12906	Capital One	1655138657	HC - Supplies	04/19/2024	20.21		
12906	Capital One	1655138657	HC - Batteries & Markers	04/19/2024	25.71		
	Total 12906:				354.02		
12461	Case, Frank	4232024	PWW Tournament Track Wrestling	04/22/2024	200.00		
	Total 12461:				200.00		
13273	Case, Glenn JD	4222024-2	PWW Tournament	04/22/2024	100.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Date Paid	Voided
Total 13273:					100.00		
3770	CenturyLink	5042APR2024	334105042 Sewer Phones_4330	04/16/2024	16.50		
3770	CenturyLink	5042APR2024	334105042 Water Phones_3058	04/16/2024	16.50		
3770	CenturyLink	5042APR2024	334105042 Streets Phones_3840	04/16/2024	39.50		
3770	CenturyLink	7236APR2024	333937236 970-276-2559 West E	04/19/2024	35.33		
3770	CenturyLink	7986APR2024	333507986 970-276-2067 Dry Cre	04/19/2024	32.50		
Total 3770:					140.33		
9230	Chaosink	18483	PWW Coach Shirts	04/16/2024	247.30		
Total 9230:					247.30		
13106	Column Software PBC	315EBC08-009	Abate Minor Subdivision	04/18/2024	23.24		
Total 13106:					23.24		
4565	CPPA	200066243	Law book - shipping charges	02/21/2024	6.78		
Total 4565:					6.78		
13068	Day, Tristan	4222024-7	PWW Tournament Referee	04/22/2024	100.00		
Total 13068:					100.00		
13364	Deaton, Kayla	4222024-5	PWW Tournament Referee	04/22/2024	100.00		
Total 13364:					100.00		
13118	Element Print & Design	24609	Easter Posters	03/07/2024	10.00		
13118	Element Print & Design	24609	HC - Grand Opening Posters	03/07/2024	10.00		
Total 13118:					20.00		
12754	Elk River Guns	24-04-02	PD - Replacement Firearms	04/25/2024	7,230.58		
Total 12754:					7,230.58		
6955	Erickson, Colette	20APR2024	Travel Reimbursement - Spring C	04/20/2024	257.07		
Total 6955:					257.07		
4890	FedEx	8-473-63326	Water Sample Shipping	04/18/2024	31.46		
Total 4890:					31.46		
13365	Flemming, Rachel	4242024	Reimburse TIPS Training	04/24/2024	35.00		
Total 13365:					35.00		
13371	Flock Group, INC	INV-39058	PD - LPR Cameras	04/24/2024	8,650.00		
Total 13371:					8,650.00		
12931	Flowpoint Environmental Systems	WE4410	Bulkwater POS	01/31/2024	318.36		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Date Paid	Voided
Total 12931:					318.36		
13366	Giessinger, Lindsay	719.09	Utility Deposit Refund	04/24/2024	14.26		
Total 13366:					14.26		
3870	Grainger Inc	9094732691	Parks - Pond Aerator	04/22/2024	1,223.52		
Total 3870:					1,223.52		
13225	GreatAmerica Financial Services	36439196	SAVIN C4500 Town Hall Printer	04/24/2024	268.00		
Total 13225:					268.00		
12934	Harris, Joe	4222024-1	PWW Tournament Referee	04/22/2024	100.00		
Total 12934:					100.00		
12768	Hayden Rental & Repair	2991	Asphalt Saw	04/03/2024	1,710.22		
12768	Hayden Rental & Repair	3008	PW - Trailer Rental	04/18/2024	100.00		
12768	Hayden Rental & Repair	3011	Asphalt Saw Water Tank	04/24/2024	125.99		
Total 12768:					1,936.21		
12837	LRE Water Inc	26100	Water Right Accounting	04/11/2024	850.25		
Total 12837:					850.25		
13367	McMillen, Raegan	4222024-4	PWW Tournament Referee	04/22/2024	100.00		
Total 13367:					100.00		
13063	Moffat County	7131	CPR Class	04/16/2024	100.00		
Total 13063:					100.00		
1350	Pinnacol Assurance	21663461	Legislative Work Comp	04/22/2024	33.11		
1350	Pinnacol Assurance	21663461	Court Work Comp	04/22/2024	16.56		
1350	Pinnacol Assurance	21663461	Executive Work Comp	04/22/2024	16.56		
1350	Pinnacol Assurance	21663461	Administration Work Comp	04/22/2024	33.11		
1350	Pinnacol Assurance	21663461	Police Work Comp	04/22/2024	1,258.18		
1350	Pinnacol Assurance	21663461	Streets Work Comp	04/22/2024	695.31		
1350	Pinnacol Assurance	21663461	Parks Work Comp	04/22/2024	297.99		
1350	Pinnacol Assurance	21663461	Water Work Comp	04/22/2024	264.88		
1350	Pinnacol Assurance	21663461	Water Adm Work Comp	04/22/2024	33.11		
1350	Pinnacol Assurance	21663461	Sewer Work Comp	04/22/2024	165.55		
1350	Pinnacol Assurance	21663461	Sewer Adm Work Comp	04/22/2024	33.11		
1350	Pinnacol Assurance	21663461	HC Work Comp	04/22/2024	463.53		
Total 1350:					3,311.00		
4850	Rock Solid Transport LLC	985165	Pit Run Stock Pile	04/19/2024	1,080.00		
Total 4850:					1,080.00		
12248	SGS North America, Inc.	52160154616	Water plant testing	04/16/2024	128.06		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Date Paid	Voided
12248	SGS North America, Inc.	52160154626	Quarterly Water Samples	04/18/2024	549.57		
Total 12248:					677.63		
13368	Staker, Haylee	4222024-5	PWW Wrestling Referee	04/22/2024	100.00		
Total 13368:					100.00		
13088	SWARCO	90070534	PW - Paint - Crosswalks, Curbs, P	04/17/2024	2,938.07		
Total 13088:					2,938.07		
13369	Timberlake, Kenneth	4222024-2	PWW Tournament Janitorial	04/22/2024	200.00		
Total 13369:					200.00		
3710	Town of Hayden	25APR2024	15.01 1250 W Jefferson	04/25/2024	241.74		
3710	Town of Hayden	25APR2024	92.01 178 W Jefferson	04/25/2024	84.43		
3710	Town of Hayden	25APR2024	94.01 Bulk Water	04/25/2024	541.30		
3710	Town of Hayden	25APR2024	231.01 229 S 3rd St park	04/25/2024	451.20		
3710	Town of Hayden	25APR2024	232.01 40500 CR 183	04/25/2024	548.55		
3710	Town of Hayden	25APR2024	355.01 1200 W Jefferson	04/25/2024	157.25		
3710	Town of Hayden	25APR2024	436.02 Hayden Center	04/25/2024	575.01		
3710	Town of Hayden	25APR2024	534.01 101 S Chestnut	04/25/2024	441.16		
3710	Town of Hayden	25APR2024	694.02 135 Walnut Street	04/25/2024	73.44		
3710	Town of Hayden	25APR2024	1208.01 513 S Poplar St park	04/25/2024	50.11		
3710	Town of Hayden	25APR2024	2035.01 249 Hawthorn	04/25/2024	118.53		
3710	Town of Hayden	25APR2024	2036.01 513 S Poplar St	04/25/2024	148.67		
3710	Town of Hayden	25APR2024	2044.01 351 Vista Verde Dr	04/25/2024	75.67		
3710	Town of Hayden	25APR2024	2046.01 326 Lake View	04/25/2024	150.26		
3710	Town of Hayden	25APR2024	2090.01 Industrial Park A	04/25/2024	50.11		
3710	Town of Hayden	25APR2024	2163.01 Community Garden Utilit	04/25/2024	73.44		
Total 3710:					3,780.87		
7070	USA BlueBook	INV00340455	WWTP - Lab Supplies	04/19/2024	201.40		
Total 7070:					201.40		
13370	Valora, Shannon	4222024-2	PWW Tournament	04/22/2024	100.00		
Total 13370:					100.00		
13061	Xerox Financial Services	5606186	1200 W Jefferson C8145/H2	04/05/2024	233.43		
13061	Xerox Financial Services	5687210	495 W Jefferson S/N ELQ519036	04/13/2024	187.68		
Total 13061:					421.11		
4010	Yampa Valley Electric	1802APR2024	1510001802 Street Lights	04/25/2024	3,345.20		
4010	Yampa Valley Electric	8003APR2024	750008003 Hayden Center	04/25/2024	399.72		
Total 4010:					3,744.92		
13231	Yeh & Associates, Inc	222-055-11	Hwy 40 Sidewalks	04/09/2024	6,488.75		
Total 13231:					6,488.75		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Date Paid	Voided
Grand Totals:					<u>101,304.73</u>		

Report Criteria:

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



Town of Hayden

Town Council Agenda Item

MEETING DATE: May 2, 2024

AGENDA ITEM TITLE: Hayden Tree Board Appointments

- i. Request to appoint Brian Erhart to the Hayden Tree Board with a term of two (2) years.
- ii. Request to appoint David Mease to the Hayden Tree Board with a term of two (2) years.
- iii. Request to appoint George Hawn to the Hayden Tree Board with a term of two (2) years.
- iv. Request to appoint Kyle Barrett to the Hayden Tree Board with a term of one (1) year.
- v. Request to appoint Joseph Ridgely to the Hayden Tree Board with a term of one (1) year.

AGENDA SECTION: Consent Agenda

PRESENTED BY: Bryan Richards

CAN THIS ITEM BE RESCHEDULED: Not preferred

BACKGROUND REVIEW: The reformation of the Hayden Tree Board marks a significant milestone in the community's commitment to environmental stewardship and urban beautification. Originally established in the early 2000's, the board has not been active for quite some time. In response to growing concerns about urban tree canopy loss and public interest in sustainable development, staff has sought to reinvigorate the board with new members and a revised mission. The reformed board is now tasked with developing comprehensive urban forestry policies, promoting tree planting initiatives, and enhancing green spaces. These proposed members of the Board all have extensive professional experience with trees. The terms of each member have been staggered for the initial formation then they will expire every two (2) years.

RECOMMENDATION: Move to approve the following appointments to the Hayden Tree Board:

- i. Brian Erhart to the Hayden Tree Board with a term of two (2) years.
- ii. David Mease to the Hayden Tree Board with a term of two (2) years.
- iii. George Hawn to the Hayden Tree Board with a term of two (2) years.
- iv. Kyle Barrett to the Hayden Tree Board with a term of one (1) year.
- v. Joseph Ridgely to the Hayden Tree Board with a term of one (1) year.

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



APPLICATION FOR TREE BOARD

Please type or print with black ink. If you have questions or need more information, contact Town Hall at 970-276-3741

Return the completed application to Hayden Town Hall, 178 West Jefferson, PO Box 190, Hayden, CO 81639.

NAME: Kyle Barrett

RESIDENCE ADDRESS: 143 Nth 4th Street

MAILING ADDRESS: P.O. Box 1

HOME PHONE: _____ WORKPHONE: 970-291-1383

CELL PHONE: _____ EMAIL: Kyle.Barrett@HaydenColorado.org

ARE YOU 18 YEARS OF AGE OR OLDER: YES NO

ARE YOU A RESIDENT OF THE TOWN OF HAYDEN?

YES NO

IF YES, HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY?

32 yrs

CURRENT OCCUPATION/EMPLOYER:

Town of Hayden
Parks Superintendent

PREVIOUS WORK EXPERIENCE (PLEASE FEEL FREE TO ATTACH ADDITIONAL PAGES):

Under ground coal miner for Peabody energy
Vancouver Park State Parks

APPLICABLE COMMUNITY ACTIVITIES/VOLUNTEER WORK:

Have worked several events for the town!
Parks Superintendent, Have planted trees & celebrated arbor Day for the town the last 4 years.

SPECIAL QUALIFICATIONS APPLICABLE TO THE BOARD/COMMISSION:

As the Towns Parks Superintendent, I'm more in tune with our urban forest & wild life than most. I have learned a great deal about trees the best practices for them and not to mention soil, water, grass, & other key things to our local landscape.

WHY DO YOU WANT TO APPLY FOR:

(Board or commission applying for)

As a driving force, of this rebirth of the tree board & tree care! In the last couple years. I wish to be on the board for a multitude of reasons. ~~But~~ But to put one down I would say to build the best possible urban forest!


BRIEFLY, WHAT DO YOU BELIEVE ARE THE THREE MOST IMPORTANT ISSUES FACING THE HAYDEN COMMUNITY AT THIS TIME RELATIVE TO THE BOARD/COMMISSION FOR WHICH YOU ARE APPLYING?

1.) Tree's In the Right-of-Way, around town that are getting old and need help.

2.) A ageing urban forest; Proper Care + replacement

3.) The community could benefit greatly, from some information + transparency on the subject's, around tree's,

OTHER COMMENTS:



Signature
4/15/24

Date



APPLICATION FOR TREE BOARD

Please type or print with black ink. If you have questions or need more information, contact Town Hall at 970-276-3741

Return the completed application to Hayden Town Hall, 178 West Jefferson, PO Box 190, Hayden, CO 81639.

NAME: Brian Erhart

RESIDENCE ADDRESS: 354 Honeysuckle Dr.

MAILING ADDRESS: PO BOX 1608

HOME PHONE: _____ **WORKPHONE:** _____

CELL PHONE: _____ **EMAIL:** berhart@savatree.com

ARE YOU 18 YEARS OF AGE OR OLDER: **YES** **NO**

ARE YOU A RESIDENT OF THE TOWN OF HAYDEN?

YES **NO**

IF YES, HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY?
since 2021

CURRENT OCCUPATION/EMPLOYER:

SavAtree Tree, Shrub and Lawn care- Branch Manager Steamboat

PREVIOUS WORK EXPERIENCE (PLEASE FEEL FREE TO ATTACH ADDITIONAL PAGES:

2022-present: SavAtree- Operations manager, arborist
2015-2022 Aspen Tree service: Operations Manager, arborist, technician

APPLICABLE COMMUNITY ACTIVITIES/VOLUNTEER WORK:

Member of the Hayden Economic Development Committie 2023-present
Ride the Cog planning committie
Hayden Granary- Volunteer

SPECIAL QUALIFICATIONS APPLICABLE TO THE BOARD/COMMISSION:

ISA Certified Arborist- RM 8783A
TCIA tree care professional certified
Experience Planning and consulting in the industry
Business experience in financial planning and budgeting

WHY DO YOU WANT TO APPLY FOR:

Hayden Tree Advisory Board

(Board or commission applying for)

One area of community development that I'm particularly passionate about is ensuring that Hayden has a thriving tree cover for years to come. Trees are so important to public health — they provide us with shade and cooler temperatures, clean our air and water, and encourage people to get outside and improve their mental and physical health. Simply put, they make our world a better and more beautiful place.

As a certified arborist and current board member with the HEDC I would be happy to help form a proper tree board to keep the town in compliance with the Tree City USA standards. I believe we are at a critical point in the development of the town that we really need to pay close attention to preserving and protecting our existing landscape.

BRIEFLY, WHAT DO YOU BELIEVE ARE THE THREE MOST IMPORTANT ISSUES FACING THE HAYDEN COMMUNITY AT THIS TIME RELATIVE TO THE BOARD/COMMISSION FOR WHICH YOU ARE APPLYING?

- Update community ordinance for tree care and make public aware and engaged. Ensure that the Towns development cannot outpace the investment in the natural landscape and investment in the urban canopy. Also to advocate for local citizens and help the community understand issues involving the ordinance.
- Community forestry program with an annual budget of at least \$2 per capita. With annual plans to apply for grants increasing the towns overall budget for tree planing and maintenance.
- The community must have an Arbor Day observance and proclamation with the goal to educate and advocate for the future health and existence of trees in our community.

OTHER COMMENTS:

Brian Erhart

Signature

3/29/2024

Date



APPLICATION FOR TREE BOARD

Please type or print with black ink. If you have questions or need more information, contact Town Hall at 970-276-3741

Return the completed application to Hayden Town Hall, 178 West Jefferson, PO Box 190, Hayden, CO 81639.

NAME: Joseph G. Ridge

RESIDENCE ADDRESS: 38760 CR 53, Hayden, CO 81639

MAILING ADDRESS: P.O. Box 231

HOME PHONE: _____ WORKPHONE: _____

CELL PHONE: _____ EMAIL: Ridgecapes@yahoo.com

ARE YOU 18 YEARS OF AGE OR OLDER: YES NO

ARE YOU A RESIDENT OF THE TOWN OF HAYDEN?

YES NO

IF YES, HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY?

2

CURRENT OCCUPATION/EMPLOYER:

Self - Employed Landscaper

Maple Creek Landscapes, LLC

PREVIOUS WORK EXPERIENCE (PLEASE FEEL FREE TO ATTACH ADDITIONAL PAGES):

Ridgecapes, LLC - Owner - Landscape Co.

APPLICABLE COMMUNITY ACTIVITIES/VOLUNTEER WORK:

Firefighter - Paoli in MD.

SPECIAL QUALIFICATIONS APPLICABLE TO THE BOARD/COMMISSION:

Knowledge of trees, shrubs, flowers & soils.

WHY DO YOU WANT TO APPLY FOR:

Tree Board

(Board or commission applying for)

*Helping the community. I was asked by
Saw-A-Tree to apply for the position.*

BRIEFLY, WHAT DO YOU BELIEVE ARE THE THREE MOST IMPORTANT ISSUES FACING THE HAYDEN COMMUNITY AT THIS TIME RELATIVE TO THE BOARD/COMMISSION FOR WHICH YOU ARE APPLYING?

*Community development + growth,
maintaining and planting trees in the
community for health and green space.
Education surrounding proper practice.*

OTHER COMMENTS:

n/a

J. Ripel

Signature
4/19/24

Date



APPLICATION FOR TREE BOARD

Please type or print with black ink. If you have questions or need more information, contact Town Hall at 970-276-3741

Return the completed application to Hayden Town Hall, 178 West Jefferson, PO Box 190, Hayden, CO 81639.

NAME: David Mease

RESIDENCE ADDRESS: 196 N 3rd Street

MAILING ADDRESS: PO Box 1767

HOME PHONE: _____ **WORKPHONE:** _____

CELL PHONE: _____ **EMAIL:** dmease@savatree.com

ARE YOU 18 YEARS OF AGE OR OLDER: **YES** **NO**

ARE YOU A RESIDENT OF THE TOWN OF HAYDEN?

YES **NO**

IF YES, HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY?

Since 7/21

CURRENT OCCUPATION/EMPLOYER:

Savatree

PREVIOUS WORK EXPERIENCE (PLEASE FEEL FREE TO ATTACH ADDITIONAL PAGES:

Aspen Tree Service 2021-2022

Sol Solutions 2016-2021

APPLICABLE COMMUNITY ACTIVITIES/VOLUNTEER WORK:

SPECIAL QUALIFICATIONS APPLICABLE TO THE BOARD/COMMISSION:

ISA Certified Arborist

Qualified Supervisor for pesticide application on trees and turf

WHY DO YOU WANT TO APPLY FOR:

Tree Board

(Board or commission applying for)

I would like to apply to the tree board to help direct the community in responsible tree planting and care.

BRIEFLY, WHAT DO YOU BELIEVE ARE THE THREE MOST IMPORTANT ISSUES FACING THE HAYDEN COMMUNITY AT THIS TIME RELATIVE TO THE BOARD/COMMISSION FOR WHICH YOU ARE APPLYING?

- 1) The most important issue by far is care for the old trees in downtown. There are a lot of hazardous trees that need pruning to reduce the chance of limbs falling in pedestrian areas or on top of houses.
- 2) I would like to help in the selection of new trees for parks and public areas. I could also help in provide guidance in the care of these trees once they are planted to help them get established. For example I have noticed all the trees planted at Dry Creek Park have already died and I think this could have been avoided.
- 3) Helping the community by providing general knowledge about trees. Helping people plant the right species in the right location to get the results they are looking for.

OTHER COMMENTS:

David Mease

Signature

4/1/2024

Date



RECEIVED
APR 08 2024
By:

APPLICATION FOR TREE BOARD

Please type or print with black ink. If you have questions or need more information, contact Town Hall at 970-276-3741

Return the completed application to Hayden Town Hall, 178 West Jefferson, PO Box 190, Hayden, CO 81639.

NAME: George R. Hawn

RESIDENCE ADDRESS: 125 W. Washington Ave

MAILING ADDRESS: 1559 POB

HOME PHONE: _____ WORKPHONE: N/A

CELL PHONE: _____ EMAIL: weapon_451@yahoo.com

ARE YOU 18 YEARS OF AGE OR OLDER: YES NO

ARE YOU A RESIDENT OF THE TOWN OF HAYDEN?

YES NO

IF YES, HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY?

33 years

CURRENT OCCUPATION/EMPLOYER:

Retired

PREVIOUS WORK EXPERIENCE (PLEASE FEEL FREE TO ATTACH ADDITIONAL PAGES:

25 years with Twentymile Coal (Retired from)
5 years with different Electricians as an apprentice
5 years with the US Forest Service and BLM

APPLICABLE COMMUNITY ACTIVITIES/VOLUNTEER WORK:

Volunteered with 4H during the Routt Co. fair for 6 years as a Boardman during all Swine events. Also, was the EMT on site (Barn) for the 4H people and competitors.

SPECIAL QUALIFICATIONS APPLICABLE TO THE BOARD/COMMISSION:

- BS Forestry (1981) University of Arkansas Monticello.
- Started and managed Virginia Pine Christmas tree farm in Northcentral Arkansas. Approximately 20,000 trees when I left this endeavor.
- 5 years working for the USFS in timber, setting up timber sales and other Timber related responsibilities

WHY DO YOU WANT TO APPLY FOR:

Hayden Tree Board

(Board or commission applying for)

Since my son Cody graduated HS and left for college, I have found much more time for myself. I feel that I can contribute my knowledge and time for the betterment of the town of Hayden that I have lived in for 33 years.

BRIEFLY, WHAT DO YOU BELIEVE ARE THE THREE MOST IMPORTANT ISSUES FACING THE HAYDEN COMMUNITY AT THIS TIME RELATIVE TO THE BOARD/COMMISSION FOR WHICH YOU ARE APPLYING?

1) Mitigating the present and future dangers with the costs of our gains. Was past prime cotton woods and Box Elder tree from 1910-1:
2) Replacement or regeneration of said trees before lose our beautiful overstory and deal with uncoordinated replacement
3) Our towns needs a coordinated and thought out plan for the continuous growth and reproduction of our urban forest and open areas. This requires the careful and successful management of the trees and understory vegetation in our urban ecosystem for the beautification benefits of the town, mitigating the liabilities and dangers of our aging trees, and the possibilities and benefits for soil stabilization along with other environmental uses.

OTHER COMMENTS:

As I have said before, with my new found "time on my hands", it is time to give back to the community we have lived in for 33 years.

George R. Hawn
Signature

4/6/24
Date



Town of Hayden

Town Council Agenda Item

MEETING DATE: May 2, 2024

AGENDA ITEM TITLE: ABATE MINOR SUBDIVISION

- i. Public Hearing: Abate Minor Subdivision, a Final Plat dividing 0.706 acres of property located in Lot 11, Valley View Subdivision, also described as 499 Enterprise Street, into two (2) parcels.
- ii. Review and Consideration for Approval and Authorization for the Mayor to Sign a Final Plat for the Abate Minor Subdivision, a Final Plat dividing 0.706 acres of property located in Lot 11, Valley View Subdivision, also described as 499 Enterprise Street, into two (2) parcels.

AGENDA SECTION: New Business

PRESENTED BY: Tegan Ebbert

CAN THIS ITEM BE RESCHEDULED: Not recommended

ATTACHMENTS: Final Plat (Draft)

BACKGROUND REVIEW: The applicants have submitted a Minor Subdivision Plat application for the purposes of dividing a 0.706-acre parcel into two (2) pieces. The property is zoned Light Industrial (I-1) and is part of the Valley View Business Park. The site currently houses an approximately 2,870 square foot warehouse structure. The proposed resulting lots will contain 0.444 acres for Lot 1 and 0.261 acres for Lot 2. The warehouse will be located on Lot 1, Abate Minor Subdivision. The warehouse is leased for a marijuana extraction business.

The subject property was only planned to have one singular access point off of Enterprise Street so a shared ingress/egress easement is depicted on the draft plat. This allows future occupants of Lot 2 to travel through Lot 1 for access.

The purpose of the subdivision is to allow to development of additional Light Industrial uses on the proposed Lot 2 that are not associated with the existing warehouse. It also allows for different ownership of the two parcels in the future if the property owners elect to sell either or both resulting lots.

No development is being proposed currently to occupy Lot 2, Abate Minor Subdivision. If/when development is proposed in the future will be subject to the application process required in the Hayden

Development Code.

The subject property, Lot 11, Valley View Business Park, is currently one of the largest in the development. The resulting lots are within the size range of other parcels in the subdivision. The Light Industrial Zone District does not have a minimum lot size.

RECOMMENDATION: Town Council review the Code analysis beginning on page 2 herein, accept and consider any public comments, and approve the Final Plat with the following findings of fact and conditions of approval:

Findings of Fact

1. The development application meets the standards of the Town of Hayden’s Development Code, is in consistent with the general goals and intent of the Hayden Forward Plan, and preserves the health, safety and welfare of the citizens of the Town of Hayden.

Conditions of Approval:

1. The redlined changes to the plat identified by staff to Dowling Land Surveyors shall be made prior to submitting the Final Plat for signature and recording.
2. The applicant shall cause the Final Plat to be recorded within ninety (90) days from the date of approval. In the event that the plat is not recorded, the approval shall be deemed to be void and such plat shall not thereafter be recorded, unless and until the Mayor executes a written authorization for recording the Final Plat.

STAFF REVIEW OF HAYDEN DEVELOPMENT CODE

COMPLIANCE WITH THE TOWN OF HAYDEN DEVELOPMENT CODE

While the Development Code (Code) contains numerous regulations, staff has selected the following checklist to highlight the regulations directly applicable to this application. Interested parties are encouraged to review the Code to determine if there are other regulations that may be applicable to the review of this petition.

Chapter 10.16 – Development Review Procedures

Section 10.16.010 Purpose

Table 10.16-1: Development Review Procedures and Review Authority

Table 10.16-1 indicates the specific review and approval procedures of this Chapter.

Subdivision (§10.16.090): Major Subdivisions include all subdivisions that which: (c) involve the dedication of public rights-of-way or construction of public improvements.

Section 10.16.020 – General Procedures and Requirements

Complies		Section	Standards
Yes	No		
		(f)	Step 6: Review and Decision: The following rules shall apply to review, recommendations and decisions:
		(1)	Review Criteria. The reviewing authority shall review development applications for compliance with all

relevant standards and criteria as set forth in the specific procedures for the particular application in this Development Code, as well as the following general criteria which shall apply to all development applications:

- | | | |
|---|-------|--|
| <input checked="" type="checkbox"/> <u> </u> <u> </u> | (i) | The development application is complete; <i>Staff comment: The application materials have been reviewed by staff and have been found to be complete.</i> |
| <input checked="" type="checkbox"/> <u> </u> <u> </u> | (ii) | The development application provides sufficient information to allow the reviewing authority to determine that the development application complies with the relevant review criteria. <i>Staff comment: See the analysis within this report.</i> |
| <input checked="" type="checkbox"/> <u> </u> <u> </u> | (iii) | The development application complies with the goals and policies of the Comprehensive Plan; and <i>Staff comment: The Hayden Forward Master was reviewed and the proposal currently complies with any relevant goals and policies therein.</i> |
| <input checked="" type="checkbox"/> <u> </u> <u> </u> | (iv) | The demand for public services or infrastructure exceeding current capacity is mitigated by the development application. <i>Staff comment: No development is being proposed at this time. Regardless of the proposed subdivision, this parcel could go through a Site Plan application process in order to further develop the site. No additional access points/curb cuts are being permitted to accompany the subdivision.</i> |

Section 10.16.090 – Subdivisions

Complies		Section	Standards
Yes	No		
<input checked="" type="checkbox"/> <u> </u> <u> </u>		(b)	Subdivision Categories. Categories of subdivisions are established and defined as follows for the purpose of determining the appropriate subdivision review procedure:
<input checked="" type="checkbox"/> <u> </u> <u> </u>		(1)	Minor Subdivisions. Minor subdivisions include all subdivisions which would create less than six (6) separate parcels of land, which subdivide[s] a parcel six (6) acres or less [in] size; and which do not require or propose public right-of-way dedications or public improvements; but shall not include subdivisions which are administrative subdivisions. <i>Staff comment: This project falls within the Minor Subdivision category and is being processed as such.</i>
		(c)	Review Authority. The review authority for a subdivision application shall be determined by the subdivision category. <i>Staff comment: Minor Subdivisions are subject to one public hearing with the Hayden Town Council.</i>

✓ _____

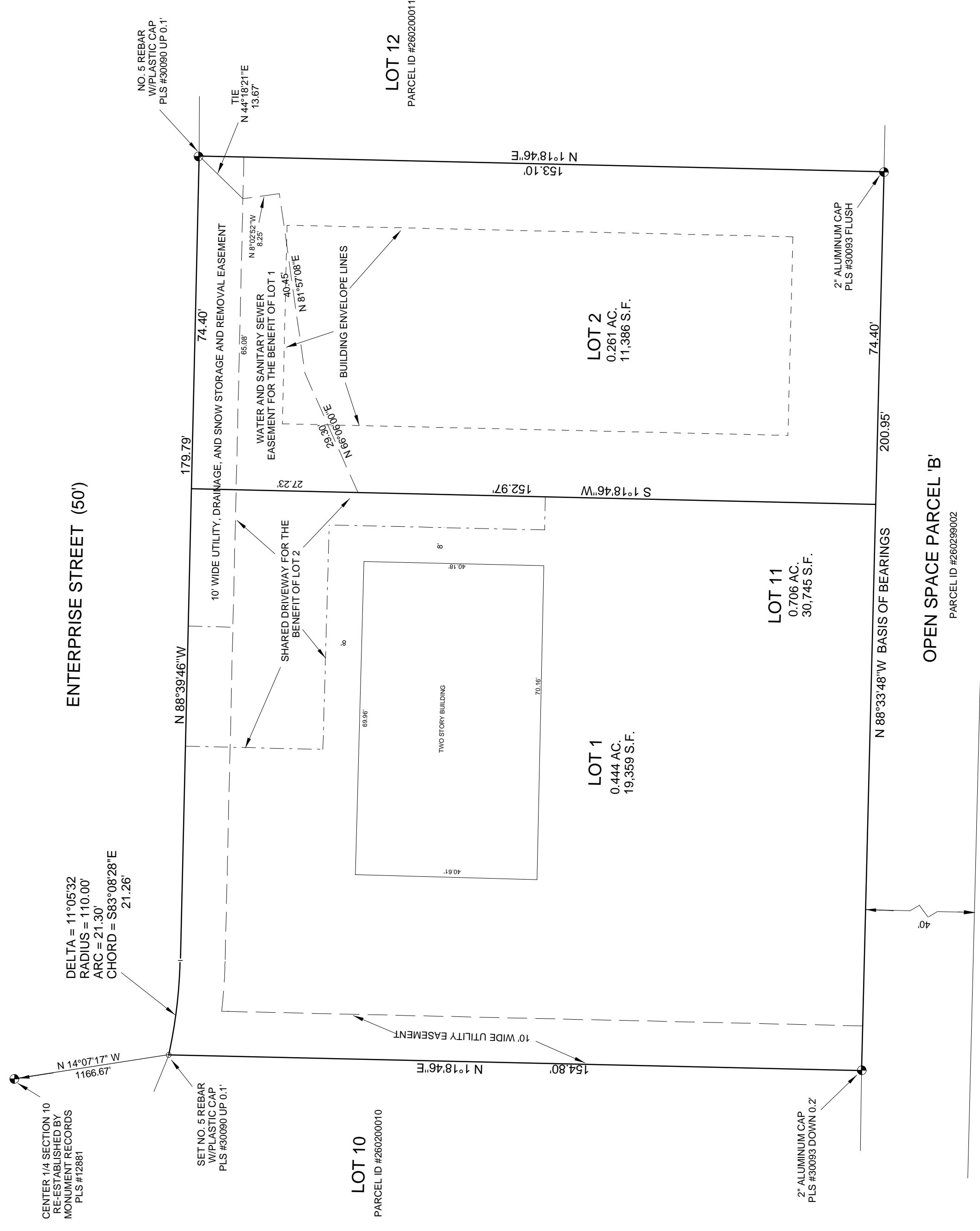
(f) **Final Plat Review Criteria.** After approval of a Preliminary Plan, the applicant may submit an application for a Final Plat. The following criteria shall apply to review of a Final Plat subdivision application: *Staff comment: The Final Plat has been reviewed and marked up for the surveyor to make any needed changes.*

- (1) The Town shall confirm the legal description of the subject property to determine that:
- (i) The property described contains all contiguous single ownership and does not create a new or remaining unrecognized parcel of less than thirty-five (35) acres in size;
Criteria is met.
 - (ii) The lots and parcels have descriptions that both close and contain the area indicated;
Criteria is met.
 - (iii) The plat is correct in accordance with surveying and platting standards of the State.
Criteria is met.
- (2) The Final Plat conforms to the approved Preliminary Plan and incorporates all recommended changes, modifications and conditions attached to the approval of the Preliminary Plan;
Preliminary plan is not required for Minor Subdivisions.
- (3) The Final Plat conforms to all Preliminary Plan criteria; *Criteria is met.*
- (4) The development will substantially comply with all sections of the Development Code;
Criteria is met.
- (5) The Final Plat complies with all applicable technical standards adopted by the Town;
Criteria is met.
- (6) Appropriate utilities have provided an ability to serve letters, including but not limited to water, sewer, electric, gas and telecommunication facilities. *Criteria is met.*



ABATE MINOR SUBDIVISION

A REPLAT OF LOT 11, VALLEY VIEW BUSINESS PARK
PORTIONS OF THE SE1/4 OF SECTION 10, T6N R88W, 6th P.M.
TOWN OF HAYDEN, COUNTY OF ROUTT, STATE OF COLORADO



CERTIFICATE OF OWNERSHIP AND DEDICATION
ABATE PROPERTIES, LLC, being the owner of the land described below, Lot 11, VALLEY VIEW BUSINESS PARK, SUBDIVISION, has laid out, platted and subdivided same as shown on the plat and pursuant to all accompanying documents referenced herein, and as shown hereon, and does hereby irrevocably dedicate to and for the perpetual use of the public those portions of land labeled as easements for the installation and maintenance of public utilities, drainage, snow removal and storage, etc. as shown hereon.

In witness whereof, the said ABATE PROPERTIES, LLC has caused their name to be hereunto subscribed this _____ day of _____, 2024.

By: _____, Owner
STATE OF COLORADO)
COUNTY OF ROUTT)
The foregoing Certificate of Ownership and Dedication was acknowledged before me this _____ day of _____, 20____, by _____ of ABATE PROPERTIES, LLC.

WITNESS my hand and official seal.
My commission expires: _____
Notary Public: _____, YAMPA VALLEY BANK

CONSENT AND SUBORDINATION BY DEED OF TRUST BENEFICIARY
The undersigned, as Beneficiary under that certain Deed of Trust encumbering the property described hereon, as such is recorded at Reception No. 682659, of the official records of the Routt County Clerk and Recorder (the "Deed of Trust"), hereby consents to and joins in the execution of this plat and the dedication of public utilities, drainage, snow removal and storage, etc. as shown hereon, and shall be and are hereby declared to be junior and subordinate to the subdivision, conveyances, mortgages, and dedications shown hereon.

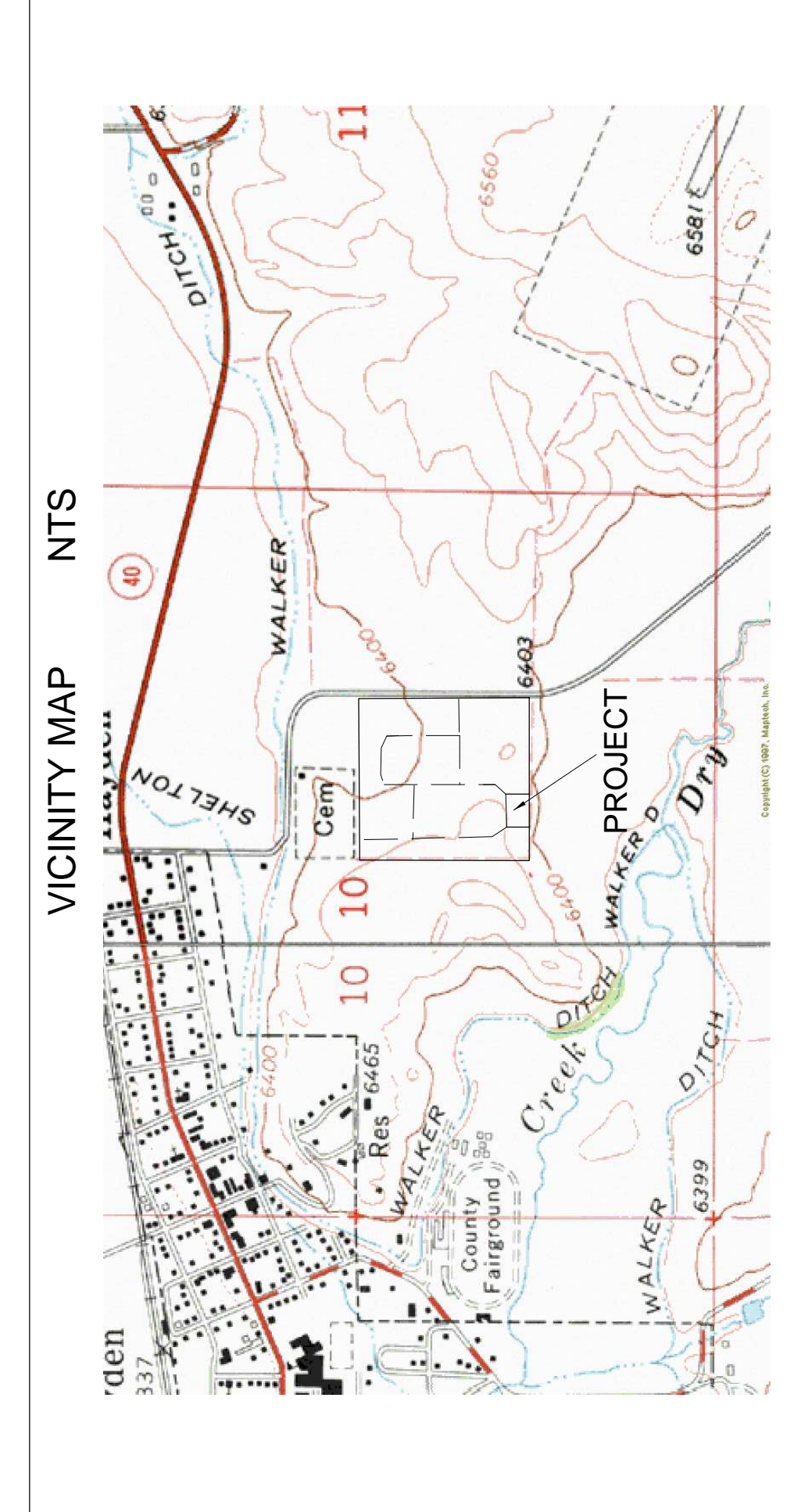
The foregoing consent was acknowledged before me this _____ day of _____, 2024, by _____ at _____ of YAMPA VALLEY BANK.
WITNESS my hand and official seal.
My commission expires: _____
Notary Public: _____

SURVEYOR'S CERTIFICATE
I, Gordon R. Dowling, PLS # 30090, a duly registered land surveyor in the State of Colorado, do hereby certify that this Plat of ABATE MINOR SUBDIVISION was performed by me or under my direct supervision, and that this plat has been prepared in compliance with all applicable laws of the State of Colorado at the time of the survey and within my control and is accurate to the best of my knowledge, information and belief.

Gordon R. Dowling, PLS
Rynn Banks, Mayor
Attest:
Sharon Johnson, Clerk

TOWN COUNCIL CERTIFICATE
The Plat of ABATE MINOR SUBDIVISION is approved for filing this _____ day of _____, 2024, by the Town Council, Town of Hayden, Colorado. This approval is conditioned for all expenses involving necessary improvements for all utility services, paving, grading, landscaping, curbs, gutters, street lights, street signs, trails and sidewalks shall be financed by others and not the Town. The dedication of the streets, open space easements, emergency easements, drainage easements, and utility easements shown hereon are accepted by the Town of Hayden, subject to the condition that the Town shall not undertake the maintenance of such public areas until such public areas have been satisfactorily completed to the Town's specifications by the Owner and a Resolution of the Board of Trustees of the Town of Hayden accepting the same has been adopted and passed of record.

INDICATES MONUMENT FOUND AS NOTED
INDICATES SET NO. 5 REBAR W/PLASTIC CAP PLS #90090
BEARINGS BASED ON THE MONUMENTED SOUTH LINE OF LOT 11
BOTH ENDS BEING ALUMINUM CAPS AS SHOWN N 88° 33' 48" W
ALL DISTANCE U.S. SURVEY FEET (GROUND DISTANCES)



ROUTT COUNTY CLERK AND RECORDERS' ACCEPTANCE
This Plat was accepted for filing in the Office of the Routt Clerk and Recorder on this _____ day of _____, 2024, A.D.

File No. _____ Reception No. _____ Time _____ m.
JENNY L. THOMAS, ROUTT COUNTY CLERK & RECORDER

ABATE PROPERTIES, LLC		ABATE MINOR SUBDIVISION		
A REPLAT OF LOT 11, VALLEY VIEW BUSINESS PARK				
TOWN OF HAYDEN, COUNTY OF ROUTT, STATE OF COLORADO		DOWLING LAND SURVEYORS P.O. BOX 954 HAYDEN, CO. 81639 (970) 276-3613 FAX 276-4595		
SCALE	DWG	DATE	REV	FILE
1" = 20'		3/1/2024		

NOTICE OF RESEARCH
Pursuant to C.R.S. § 38-51-106 (1) (b) (i), research regarding the Rights-of-Way and easements as shown hereon was obtained by Title Commitment No. 1221-85767, as prepared by GUNPAINTED TITLE GROUP as of March 13, 2024, and not from the personal files of Gordon R. Dowling, a Professional Land Surveyor in the State of Colorado.

NOTICE - ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT OR ERROR IN THIS INSTRUMENT WITHIN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON. ANY ACTION BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.



Town of Hayden

Town Council Agenda Item

MEETING DATE: May 2nd, 2024

AGENDA ITEM TITLE: REVIEW AND CONSIDER A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF HAYDEN AND VIRRIDY CARBON LLC.

AGENDA SECTION: New Business

PRESENTED BY: Bryan Richards

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND REVIEW: This agreement details the joint efforts of the Town of Hayden and Virridy as we explore how using carbon finance could help reduce the costs associated with improving river water quality through a watershed restoration project.

The main objective is to create a business plan that evaluates whether this project is financially viable for the Town of Hayden. Once completed, this plan will be reviewed by Town staff and the board, who will then decide whether to proceed with Virridy in developing the project.

The process involves gathering and analyzing various types of data, including the Town of Hayden's historical and projected water treatment needs, conditions of the waterways, land usage around the river, and other relevant information. Virridy will use computer models to predict how changes in land management could improve water quality upstream of Hayden and in critical areas. The costs of traditional infrastructure upgrades, like installing new technology, will be compared against green solutions, like programs that change land use to enhance water quality, which will inform the potential for carbon revenues to be generated by the selection of the green alternative.

A draft business case will be developed, reviewed, and refined to clearly outline the benefits and costs associated with the project. This approach will help the Town of Hayden make an informed decision about improving water quality in a cost-effective manner.

RECOMMENDATION: MOVE TO APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF HAYDEN AND VIRRIDY CARBON LLC.

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

MEMORANDUM OF UNDERSTANDING

between

Town of Hayden

and

VIRRIDY CARBON LLC

A. Overview

This Memorandum of Understanding (MOU) sets for the terms and understanding between the Town of Hayden (Hayden) and Virridy Carbon LLC (Virridy) to collaboratively explore the potential for carbon finance to fund watershed restoration as an alternative option for National Pollutant Discharge Elimination System (NPDES) compliance.

B. Background

- The Hayden Wastewater Treatment Facility is located at 40500 County Road 183, Hayden CO 81639 and discharges to the Yampa River under the administratively-extended CPDES permit #CO0040959. The facility has a design capacity of .6mgd and operates a lagoon system that is unlikely to be able to treat effluent concentrations to meet lowered phosphorus and nitrogen concentrations proposed in Colorado's Regulation 85.
- Virridy is a private company headquartered in Boulder, Colorado, which specializes in water monitoring equipment and innovative financing strategies for water security and watershed health.

C. Purpose

This MOU will cover the collaborative activities of Hayden and Virridy as they work to explore options for using carbon finance to reduce costs of a potential watershed restoration NPDES compliance solution.

The goal of this work is to finalize a business case for the staff and board of Hayden to review and then approve/decline entering into a future contract with Virridy as carbon credit project developer.

The above goal will be accomplished by undertaking the following activities:

- Data collection, review and synthesis from:
 - Hayden’s historic and projected water treatment requirements, and
 - the receiving waters, and
 - upstream land use and land cover, and
 - instream conditions in the Yampa River and associated tributaries, and
 - other sources as appropriate.
- Modeling of instream water quality improvements attributable to changed land management activities upstream of Hayden and/or within the region of water quality concern
- Economic analysis of full life cycle costs of both gray infrastructure compliance option (e.g., a reverse osmosis upgrade) and green infrastructure compliance option (e.g., a water quality trading program)
- Development of a draft business case
- Review, refinement, finalization of business case

D. Roles and Responsibilities

Hayden is the regulated entity interested in better understanding potential future NPDES compliance options and possible financing strategies such as the use of carbon revenues.

Hayden agrees to:

- Share such data as requested by Virridy for the purposes of achieving the goals of this MOU
- Provide insight, strategic suggestions, introductions and contact information as useful towards achieving the goals of this MOU
- Review work product and provide feedback and direction
- Endorse the collection and sharing on websites and in publications, of in-stream and land surface data by Virridy and affiliated research partners
- Allow Virridy to promote the nature of the collaboration reflected in this MOU in public and third party settings including on websites and presentations.
- Other activities as agreed upon by both parties during the duration of this MOU

Virridy is the service provider charged with developing the deliverables to achieve the goals of this MOU (the “Deliverables”). Virridy anticipates either A) serving as the future carbon credit project developer, generating, owning, and selling carbon credits and sharing revenue with Hayden on mutually agreeable terms to be identified at a later time, or B) developing an offtake

agreement with Hayden where Virridy supports Hayden in credit generation and then purchase ensuing credits at an agreed-upon price, if Hayden chooses to proceed with contracting after achieving the goals of this MOU. Virridy agrees to:

- Lead on data collection, review and synthesis
- Lead on development of green infrastructure compliance option
- Lead on life cycle analysis for both gray and green infrastructure compliance options
- Lead on development of draft business case
- Lead on finalization and delivery of business case
- Other activities as agreed upon by both parties during the duration of this MOU

E. Funding

This MOU requires no commitment of funds by Hayden beyond such staff time required to support the identified collaboration. To pay for the project activities listed above, Virridy shall use funds already received from existing grant funders and/or augmented by future grants or other associated revenues.

During the term of this MOU, Virridy may request or solicit funds from external parties, such as grantmaking foundations or state or federal agencies, to pay for activities described in this MOU. Virridy will proactively communicate with to provide updates on such solicitations. Hayden agrees to allow Virridy to represent the nature of this collaboration. If Hayden is to be named as a beneficiary of such grants, Hayden will review and approve any solicitation before submission.

F. Duration

This MOU is at-will and may be modified by mutual consent of authorized officials from Hayden and Virridy. This MOU shall become effective upon signature by the authorized officials from Hayden and Virridy, and will remain in effect until modified or terminated by any one of the partners by mutual consent. In the absence of mutual agreement by the authorized officials from Hayden and Virridy, this MOU shall end on December 31, 2025.

G. Confidentiality

The parties agree that the terms and provisions of this MOU may be disclosed to third parties and in settings such as public websites and publications as deemed appropriate to support the goals of the collaboration.

All financial, personal, technical and other data and information relating to Hayden's operations which are designated confidential by Hayden and made available to Virridy in order to achieve the goals of this MOU, shall be protected by Virridy from unauthorized use and

disclosure. Virridy shall not be required under the provisions of this paragraph to keep confidential any data or information which is or becomes publicly available, is already in Virridy's possession, is independently developed by Virridy outside of the scope of this MOU, or is rightfully obtained by third parties.


Contact Information

Partner name: Town of Hayden
Partner representative: Bryan Richards
Position: Public Works Director
Address: 200 West Jefferson Ave, Hayden CO 81639
Telephone: 970-757-6002
E-mail: bryan.richards@haydencolorado.org

Partner name: Virridy Carbon LLC
Partner representative: Alex Johnson
Position: Chief Strategy Officer
Address: 1026 Lincoln Place, Boulder, Colorado 80302
Telephone: 503-504-9668
E-mail: alex.johnson@virridy.com

_____ Date:
(Partner signature)

Ryan Banks, Mayor, Town of Hayden

 _____ Date: 4/23/24
(Partner signature)

Alex Johnson, Chief Strategy Officer, Virridy



Town of Hayden

Town Council Agenda Item

MEETING DATE: May 2nd, 2024

AGENDA ITEM TITLE: REVIEW AND CONSIDER FOR APPROVAL BYLAWS FOR THE TOWN OF HAYDEN TREE BOARD

AGENDA SECTION: New Business

PRESENTED BY: Bryan Richards

CAN THIS ITEM BE RESCHEDULED: Not Preferred

BACKGROUND REVIEW: The reformation of the Hayden Tree Board was undertaken to comply with the standards set by Tree City USA, a program dedicated to fostering better tree management in communities across the nation. The restructured board was expanded to include more diverse expertise and community representation, ensuring a broad range of insights into urban forestry management. Key goals of the Board include the introduction of stricter guidelines for tree care in the Town Right of way, a comprehensive annual community forestry work plan, and increased public education efforts regarding the benefits of urban trees. These reforms are aimed at bolstering Hayden's commitment to sustainable urban forest management and maintaining its status as a recognized Tree City USA community, reflecting a strong dedication to environmental stewardship and community health.

RECOMMENDATION: MOVE TO APPROVE BYLAWS FOR THE TOWN OF HAYDEN TREE BOARD.

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

BYLAWS
For The Town of Hayden
Tree Board

Article I
Introduction

- A. The Hayden Municipal Code authorizes the Tree Board to adopt bylaws for the transaction of business.
- B. The within Bylaws have been adopted by the Town of Hayden Tree Board, and all previously adopted bylaws are deemed repealed.
- C. Pursuant to the Hayden Municipal Code, this Board shall be known as the *Town of Hayden Tree Board*, hereinafter referred to as "Hayden Tree Board" or "the Board."

Article II
Membership and Officers

- A. The Hayden Tree Board shall be composed of 5 members appointed by the Town Council of the Town of Hayden in accordance with the Hayden Municipal Code.
 - 1. Terms for each member shall be two (2) years except for the initial formation of the Board which three (3) members will serve for two (2) years and two (2) members for (1 year).
- B. The Board shall elect a chairman, vice chairman, and secretary.
 - 1. The chairman shall preside at all regular and special meetings of the Board and shall decide all points of procedure.
 - 2. The vice chairman shall assume the duties and responsibilities of the chairman in the chairman's absence.
 - 3. The secretary shall keep, or cause to be kept, all records of the Board, and shall transmit all appropriate records to the Town Clerk to become part of the official Town Record.
 - 4. Board officers shall serve for a term of one (2) years.

5. Officer vacancies shall be filled at the next regular meeting of the Board by election of the members. Officers elected to fill vacancies shall serve until the next regular election of officers.

Article III Meetings

- A. The chairman shall prepare, or cause to be prepared, an agenda for every regular or special meeting of the Board.
- B. The Board shall meet monthly on a date and at a time and location designated by the chairman. These regular meetings may be postponed, rescheduled, or canceled upon a vote by the Board.
- C. The secretary shall prepare, or cause to be prepared and posted, a notice of each regular or special meeting of the Board. Such notice shall contain the meeting agenda.
- D. Special meetings may be called by the chairman at the request of two (2) members, provided that notice of same, including a listing of all items to be considered (agenda), is delivered to each member of the Board or to his or her residence at least forty-eight (48) hours prior to the time set for such meeting, and further provided that announcement of a special meeting, or any other meeting at which all members of the Board are present, shall be sufficient notice of such meeting. Formal action taken at a special meeting called in accordance herewith shall be considered as though it were taken in a regular meeting for those, and only those, matters referred to in the agenda contained in the notice of the meeting.
- E. All meetings of the Board shall be open to the public.
- F. Before official and formal action can be taken on any matter at any meeting of the Board, a quorum shall be present and in session. A *quorum* is defined for purposes of these Bylaws as any four (4) members. The vice chairman shall preside in the absence of the chairman. Where both the chairman and vice chairman are absent, members present shall by majority vote select a member to preside over the meeting.
- G. The chairman may from time to time call for work session meetings for the purpose of receiving information, hearing presentations, and discussing information, provided that no formal or informal action is taken

- H. All voting shall be by roll-call vote.
- I. The members of the Board shall be bound by the Colorado Code of Ethics and the Colorado Public Official Disclosure Law. Summaries of the form of said code or laws in effect at the time of the adoption of these Bylaws are attached hereto as Appendix 1 and Appendix 2, respectively. Copies of the complete code and law, or subsequent amendments thereto, shall be distributed to all current and future members of the Board.
- J. The order of business for all meetings shall be the order as it appears on the agenda except that the chairman may, under special circumstances, rearrange the order of business unless otherwise directed by a majority of the members there present and in session.
- K. The secretary shall keep, or cause to be kept, minutes and keep the same recorded to date, showing all important facts pertaining to each meeting and hearing, the vote of each regular member upon each matter, or those absent or failing to vote, and such other details as the Board or its chairman shall direct. The minutes of each meeting shall be approved by the Board at its next meeting.
- L. The secretary shall prepare, or cause to be prepared, the transmittal of official and formal actions of the Board to the Town Administrator's office for scheduling before the Hayden Town Council.

Article IV
Committees

- A. There shall be no standing committees of the Board.
- B. With the consent of the Board, the chairman may appoint ad hoc committees of the Board for special study or review.

Article V
Amendments

These Bylaws may be amended by majority vote of a quorum of members present and in session at any regular meeting, provided that notice in writing has been given to each member at least ten (10) days prior to such meeting, or provided that such amendment was read at the last regular meeting of the Board.

THE WITHIN BYLAWS WERE APPROPRIATELY ADOPTED BY THE TOWN OF HAYDEN TREE BOARD BY MAJORITY VOTE ON THE _____ DAY OF _____, 2024.

Ryan Banks, Mayor

ATEST:

Sharon Johnson, Town Clerk