

Town of Yampa
Special meeting agenda
April 21, 2021

TOWN OF YAMPA
SPECIAL MEETING AGENDA
APRIL 21, 2021
7:00 P.M.

Due to the Covid-19 pandemic the Town Board meeting will be hybrid in-person and virtual via GoToMeeting for the Board of Trustees only, at this time. Attendees are asked to attend only virtually with the following link to the GoToMeeting link or via the phone number below.

Town of Yampa Special Meeting
Wed, Apr 21, 2021 7:00 PM - 11:30 PM (MDT)

Please join my meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/386432517>

You can also dial in using your phone.
United States (Toll Free): 1 877 309 2073
United States: +1 (646) 749-3129

Access Code: 386-432-517

1. Call to order
2. Roll call
3. Pledge of Allegiance
4. Consideration of approval of Resolution No. 2021-04 – A resolution for financing the Town of Yampa and Solar, Interiors /Exteriors LED Lighting with Bank of Colorado accordance with C.R.S. § _____ (In Packet) *(Lease itself has not been finalized. Previously received the draft of Lease in email dated March 30, 2001)*
5. Report of error in information provided by Janet Ray regarding cost of heating system (boiler) at old town hall/emergency services building; discussion of possible options for heating system and consideration of moving forward with most feasible option(s) (in packet)
6. Public Works updates
Greg Samuelson – Tree cutting update

Ben Mitchell – Brown’s Hill and Scada information update
7. Consideration of Resiliency and Recovery Roadmap Letter of Support (letter in packet)

EXHIBIT H
RESOLUTION NO. 2021-04

**A RESOLUTION STATING THAT THE TOWN OF YAMPA HAS THE AUTHORITY TO
ENTER INTO LEASE TRANSACTIONS TO PROVIDE EQUIPMENT FOR THE TOWN OF
YAMPA PURPOSES**

WHEREAS, THE TOWN OF YAMPA has the authority pursuant to C.R.S. § state statute # to enter into lease transactions to provide necessary equipment or other property used, or to be used, for the Town of Yampa's purposes; and

WHEREAS, the Town of Yampa's Board of Trustees ("[Board]") has heretofore determined and does determine that it is in the best interest of the Town of Yampa to acquire the Equipment more particularly described on Exhibit A attached hereto **Equipment and**

WHEREAS, the Board has also heretofore determined and does determine that such acquisition should be made and financed by a lease-purchase financing; and

WHEREAS, the Town of Yampa is a duly created and organized municipality existing under the Constitution and laws of the State of Colorado; and

WHEREAS, the members of the Board have been duly elected and qualified; and

WHEREAS, there has also been presented to this meeting of the Board a form of Lease, attached as Exhibit B to this Resolution; and

NOW THEREFORE, BE IT RESOLVED by the Board:

Section 1. Ratification. All action (not inconsistent with the provisions of this Resolution) heretofore taken by the Board directed toward the Town of Yampa's entry into the Lease for the purposes stated in the recitals be, and the same hereby are, ratified, approved and confirmed.

Section 2. Findings. The Board hereby finds and determines pursuant to the Constitution and laws of the State of Colorado, that leasing the Equipment, under all the terms and provisions set forth in the Lease is necessary, convenient and in furtherance of the purposes of the Town of Yampa and is in the best interests of the Town of Yampa.

Section 3. Approval; Signatures. The Lease, in substantially the form presented to this meeting of the Board is in all respects approved, authorized and confirmed and Jeffrey L. Drust, as Mayor, and Sheila Symons, as Town Clerk, are authorized and directed to affix their signatures to the Lease in substantially the form and with substantially the same content as presented to this meeting of the Board for and on behalf of the Town of Yampa. In accordance with the provisions of the Lease, Jeffrey L. Drust, as Mayor, and Sheila Symons, as Town Clerk, are also hereby authorized to execute and deliver on behalf of the Town of Yampa such certificates, tax information, returns and other documents as may be necessary or desirable to complete the Lease transaction as herein contemplated.

Section 4. No Indebtedness. No provision of this Resolution, the Lease, the certificate or any other transaction document shall be construed as creating or constituting a general obligation or other indebtedness of the Town of Yampa, nor a mandatory charge or requirement against the Town of Yampa in any ensuing budget year beyond the current budget year. The Town of Yampa shall have no obligation to make any payment with respect to the Lease except in connection with the payment of the Rent (as

defined in the Lease) and certain other payments under the Lease, which payments and obligations may be terminated annually by the Town of Yampa in accordance with the provisions of the Lease.

Section 5. No Economic Compulsion. The Board hereby determines and declares that the Rent will not exceed a reasonable amount so as to place the Town of Yampa under any economic compulsion to renew the Lease in any year or to exercise its option to purchase the Equipment pursuant to the Lease. The Board hereby determines and declares that the period during which then Town of Yampa has an option to purchase the Equipment (i.e. the maximum term of the Lease) may or may not exceed the useful life of the Equipment.

Section 6. Maximum Amount and Interest Rate. The aggregate amount of the principal component of the Rent payable under the Lease shall not exceed \$ _____. The interest component of the Rent payable under the Lease shall be equal to _____% per annum, fixed during the entire term of the Lease.

Section 7. Authorized Town of Yampa Representative. The Board hereby determines that the authorized Town of Yampa representative to act as liaison between the Town of Yampa and the lessor with respect to the Lease, shall be Jeffrey Drust, the mayor of the Town of Yampa, or any person who holds said office during the term of the Lease.

Section 8. IRC 265(b)(3) Designation. Subject to the advice and approval of the Town of Yampa Board of Trustees, the Town of Yampa hereby designates the Lease as a "qualified tax exempt obligation" for purposes of § 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Section 9. Savings Clause. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 10. Non-Repealer. All orders, resolutions or parts thereof, inconsistent with this Resolution or with any of the documents hereby approved, are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any by-law, order or resolution, or part thereof.

Section 11. Effective Date. This Resolution shall be in full force and effect upon its adoption by the Board.

ADOPTED AND APPROVED this 21 day of April, 2021.
THE TOWN OF YAMPA, a political agency or subdivision of the State of Colorado
The Motion to adopt the foregoing Resolution was duly seconded and carried on the following vote at a
Town of Yampa Board of Trustees Meeting:

Those voting aye:

Name: Jeffrey L. Drust, Mayor

Name: Michael Geanious, Trustee

Name: Stacey Geilert, Trustee

Name: Michael Lewis, Trustee

Name: Crystal McLaughlin, Trustee

Those voting no:

Those absent:

Thereupon, the Board of Trustees of the TOWN OF YAMPA declared the Resolution duly adopted.

Jeffrey L. Drust, Mayor

Attest:

Sheila Symons
Town Clerk/Treasurer

ADOPTED AND APPROVED this 21 day of April, 2021
TOWN OF YAMPA
A political agency or subdivision of the State of Colorado

(a)

EXHIBIT A
TO RESOLUTION NO. _____

DRAFT

EXHIBIT B
TO RESOLUTION NO. _____
(Lease)

DRAFT

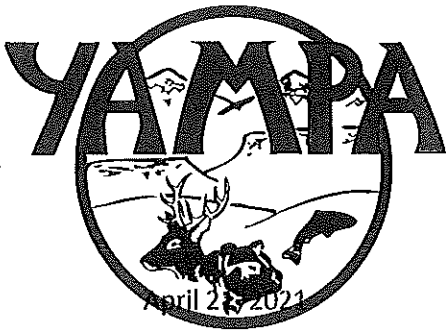
Town of Yampa

To: Town Board
From: Janet Ray *JR*
cc: Town Staff
Date: April 19, 2021
Re: Heating system (boiler) old town hall/emergency services building

At the April town board meeting, I gave erroneous information regarding the cost of the heating system (boiler) for old town hall/ems building – the amount I quoted to you was slightly under \$30,000. I had that mixed up with the financed costs of the solar project. The cost of the heating system (boiler) is \$167,000. It is quite obvious to anyone who has looked at our budget that we do not have the cash to pay \$167,000 outright for the heating system.

In the meantime, we have been looking into various possibilities for overcoming my gaffe. We will put together as much information as possible to have available this Wednesday night. Wednesday night's meeting will be a special meeting rather than a workshop because the Board will be asked to take action on agenda items rather than just being a discussion.

I apologize to the Board and staff for having to put additional time into this project because of me.



Town of Yampa
56 Lincoln Street
P.O. Box 224
Yampa, CO 80483
970-638-4511
Fax 970-638-1085

Greg Winkler, Regional Manager
Department of Local Affairs
Lake George, CO 80827-0687

RE: NW Colorado Covid-19 Regional Resiliency and Recovery Roadmap

Dear Greg,

Please accept this letter as a sign of our support for the accompanying grant application from the City of Steamboat Springs on behalf of the Northwest Colorado region, and as our commitment to participating in the Covid-19 Regional Resiliency and Recovery Roadmap process.

As referenced in our application, the counties and municipalities of Northwest Colorado operate in a highly interconnected regional economy encompassing the entire Yampa Valley in northwest Colorado, with industries such as agriculture, coal extraction and coal-fired power generation, and tourism. We are separate communities with different needs, but we have all been affected by the Covid-19 pandemic and will benefit from this assistance from DOLA, joint discussions with partners, and a shared plan for a path forward.

Our organization has the capacity and commits to actively participating throughout this planning process. We have reviewed the draft MOU and will sign the document should our region be selected for this program.

Thank you for your consideration of this application.

Sincerely,

Jeffrey Drust
Town of Yampa