

**TOWN OF LYONS, COLORADO
RESOLUTION 2021-58**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO
RATIFYING THE DECISION OF THE BOARD OF TRUSTEES ON JUNE 7, 2021
TO GRANT THE USE OF LAKE MCINTOSH WATER SHARES TO
SPIRIT HOUND DISTILLERS FOR ECONOMIC DEVELOPMENT**

WHEREAS, pursuant to Article XXV of the Colorado Constitution, the Town of Lyons Board of Trustees ("Board") has the authority to establish and operate municipal utilities serving the Town of Lyons ("Town") and pass rates, rules, and regulations governing the operation of those municipal utilities; and

WHEREAS, pursuant to that power the Board previously enacted Article 4, Chapter 13, of the Lyons Municipal Code ("LMC") entitled "Water Service" establishing a water utility; and

WHEREAS, the LMC Sec. 17-14-10(1)(a) permits the dedication of Lake McIntosh water shares for or the purposes of "Affordable Housing," "Commercial Development," or "Economic Development Opportunities" as those terms are defined in the Intergovernmental Agreement Between the Town of Lyons and the City of Longmont; and

WHEREAS, the Town of Lyons Board of Trustees on February 1, 2021 approved a Policy for Accepting Lake McIntosh Share Dedications

WHEREAS, Spirit Hounds Distillers submitted an application for use of Lake McIntosh Shares under the category of economic development opportunities; and

WHEREAS, On June 7, 2021, the Town of Lyons Board of Trustees (the "Board") approved the application of Spirit Hound Distillers to submit Lake MacIntosh Shares for their increase in water usage and tap size; and

WHEREAS, the Board now desires to ratify its decision at the June 7, 2021 meeting through a formal resolution of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS THAT:

Section 1. The above recitals are hereby incorporated by reference.

Section 2. Spirit Hound Distillers shall submit 1.4 shares of Lake MacIntosh Stock and \$17,500 in water connection fees upon receipt of an invoice for using more than 270,000 gallons of water in 2020 which requires paying for an increase from a $\frac{3}{4}$ inch to a 1 inch service connection or tap.

Section 3. Spirit Hound Distillers shall submit 5.6 shares of Lake MacIntosh Stock and \$70,000 in water connection fees upon application of a building permit to physically increase the service connection size to a 2" service connection or tap.

Section 4. This resolution shall take effect June 22, 2021.

ADOPTED THIS 21 DAY OF June 2021.

TOWN OF LYONS, COLORADO

Nicholas Angelo, Mayor

ATTEST:

Dolores M. Vasquez, CMC – Town Clerk