

**RESOLUTION NO. 33**

**SERIES 2017**

**RESOLUTIONS OF THE CRESTED BUTTE TOWN COUNCIL APPROVING  
THE ENGAGEMENT OF SULLIVAN GREEN SEAVY LLC AS THE INTERIM  
TOWN ATTORNEY**

WHEREAS, the Town of Crested Butte, Colorado (the “Town”) is a home rule municipality duly and regularly organized and now validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado; and

WHEREAS, pursuant to Section 7.1 of the Home Rule Charter of the Town of Crested Butte, the Town Council appoints the Town Attorney to serve at the pleasure of the Town Council; and

WHEREAS, the former Town Attorney, John Belkin of Garfield & Hecht, P.C. resigned from the position effective May 17, 2017; and

WHEREAS, the Town Attorney is the legal representative of the Town and shall advise the Town Council and Town officials in matters relating to their official powers and duties and perform other such duties as the Town Council desires; and

WHEREAS, the Town Council finds it necessary and appropriate to engage Sullivan Green Seavy, LLC on an interim basis to fulfill the duties of the Town Attorney and perform legal services for the Town until such time as a Town Attorney is appointed to fill the position on an ongoing basis; and

WHEREAS, the Town Council hereby finds it is in the best interest of the health, safety and general welfare of the citizens and visitors of Crested Butte to enter into an agreement with the Sullivan Green Seavy, LLC for their performance of the duties of the Town Attorney for the above stated purposes and to accept the terms proposed in the engagement letter referenced below.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT:

1. **Findings**. The Town Council hereby finds that engaging Sullivan Green Seavy, LLC for the performance of legal services as the interim Town Attorney is in the best interest of the health, safety and general welfare of the citizens and visitors of Crested Butte.
2. **Approval**. Based on the foregoing, the Town Council hereby approves the engagement letter attached hereto as **Exhibit “A”**.

INTRODUCED, READ and ADOPTED BEFORE THE TOWN COUNCIL THIS 5<sup>th</sup> DAY OF JUNE, 2017.

TOWN OF CRESTED BUTTE, COLORADO

By: Glenn Michel  
Glenn Michel, Mayor

ATTEST

  
\_\_\_\_\_  
Lynelle Stanford, Town Clerk

(SEAL)



# SULLIVAN GREEN SEAVY LLC

May 26, 2017

VIA EMAIL: [daramacdonald@crestedbutte-co.gov](mailto:daramacdonald@crestedbutte-co.gov), [glennmichel@crestedbutte-co.gov](mailto:glennmichel@crestedbutte-co.gov)

Town of Crested Butte  
Glenn Michel, Mayor  
Dara MacDonald, Town Manager

RE: Sullivan Green Seavy LLC Letter of Engagement  
Interim Town Attorney

Dear Glenn and Dara:

It was a pleasure to meet with you and the other Town employees yesterday afternoon in Crested Butte. We are pleased that you have engaged Sullivan Green Seavy LLC to serve as Interim Town Attorney, and we look forward to working with you during this period of transition.

We will continue to offer the Town a rate of \$300/hour, which is the reduced special counsel rate for all QQ members. Our legal assistant's rate is \$110/hour. As always, we will use our legal assistant where appropriate to reduce legal costs to the Town in this representation. We will bill the Town for work performed in six-minute time increments, including the time spent prior to the date of this letter. We will also bill the Town for out-of-pocket expenses incurred on the Town's behalf. Our invoices are sent out after the first of each month, and they will itemize the fees and expenses incurred during the previous month. Payment in full is due within 30 days after the date of the invoice. You can expect to receive our first invoice for this new interim town attorney matter in early June.

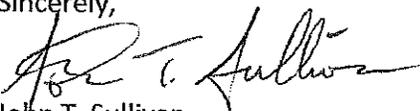
As I indicated in our meeting yesterday, we are also interested in serving as the Town Attorney on more than just an interim basis, and we would be glad to discuss a flat fee arrangement for General Town Attorney matters in more detail than we did yesterday. But I recognize that the Council still has some issues it wants to consider in this regard. If you have any questions concerning the terms set forth in this letter or the services we are providing to you, please do not hesitate to call us. We look forward our continued working relationship with the Town, and we hope to make this transition as smooth as possible.

ATTORNEYS & COUNSELORS AT LAW

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Fax: 303-316-0377

3223 Arapahoe Avenue, Suite 300  
Boulder, CO 80303  
Phone: 303-440-9101  
Fax: 303-443-3914

Sincerely,



John T. Sullivan

Sullivan Green Seavy LLC

Cc: Barbara Green, Jo Seavy