

Town of Yampa January 2, 2019
Regular meeting minutes

TOWN OF YAMPA
JANUARY 2, 2019
YAMPA TOWN HALL – 101 MAIN STREET
CROSSAN BUILDING-2ND FLOOR

BOARD MEMBERS PRESENT: Mayor Robert Symons, Mayor Pro-Tem Mike Lewis,
and Trustee Jeff Drust

BOARD MEMBERS ABSENT: Trustees Brian Ashley and Crystal McLaughlin

EMPLOYEES PRESENT: Public Works Superintendent (PWS) Eric Berry and
Town Clerk (Clerk) Janet Ray

AUDIENCE PRESENT: Ken Montgomery

Call to Order

Mayor Symons called the meeting to order at 7:01 pm.

Roll Call

Board roll call was taken.

Approval of Minutes

None

Audience participation – Non-agenda items

None

Audience participation – Scheduled items

None

Old Business

Water system improvements update and consideration of any needed approvals

Clerk Ray said that she does have some further information on funding for the pretreatment facility and is waiting for more information, but she believes that the board needs to have a conversation about the current status of the project and what needs to happen next. She

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thinks she'll have the information for a discussion next week at a workshop. The Town has received an extension to the Small Communities Grant (SCG) for the pretreatment facility to June 17, 2020. Assistant Clerk O'Halloran has been working on the prequalification form required for applying for a State Revolving Fund (SRF) loan, but she has stopped until further direction from the town board. Clerk Ray reminded the town board that Trustee Ashley had spoken with Kelly Romero-Heaney who had suggested Yampa apply for a basin roundtable grant; however, Clerk Ray said she isn't sure what the town could use it to fund at this time. Clerk Ray has a call into Ms. Romero-Heaney but has not spoken with her. Notification was received from the Colorado Water Resources & Power Development Authority (CWRPDA) regarding the fact that Yampa is still out of covenant compliance for 2017 on the 2014 Drinking Water Revolving Fund loan and they want to know what we are doing to come back into compliance. Clerk Ray said she has not responded and will do so once she has a better idea of 2018 year-end numbers and whether the town will still be out of compliance.

Wastewater system improvements update and consideration of any needed approvals

Clerk Ray reported that she understood Civil Design Consultants (CDC) did an exhibit depicting the area the Town is interested in acquiring and sent it to realtor Donna Corrigan, the listing agent for the Yampa Valley Ranch for her to pass on to the owners. Ms. Corrigan indicated she might have some news back from them in a couple of weeks. Clerk Ray reported that Department of Local Affairs (DOLA) representative, Greg Winkler informed Clerk Ray that he had been talking to Colorado Department of Public Health and Environment (CDPHE) regarding Yampa's financial situation between the water and wastewater projects. He had talked to two people, but still had a third before he has some answers to alleviating the current financial situation. When Clerk Ray knows more, she will report to the town board. The wastewater permit renewal has not been sent to the state yet; PWS Berry is waiting on information from CDC.

Crossan's update and consideration of any needed approvals (if any)

Clerk Ray reported that the storm windows have still not been installed. She communicated with John Dobell and he said they were still in the hands of Johnson Glass and that he would check on the status. Clerk Ray did not get a reply from Mr. Dobell prior to this meeting. Mr. Dobell has still not met with Historic Routt County (HRC), Town of Yampa (ToY) and Friends of Crossan's (FOC) to resolve the issue with the change orders that were not handled properly and have not been paid. HRC Executive Director, Emily Katzman, sent a certified letter to Dobell which detailed a settlement offer and the letter was returned to her from the Post Office and was never picked up by Dobell. At this time, Clerk Ray is unsure if the settlement offer is still on the table. No invoice for the \$1,400 that the town agreed to pay for has been received from Dobell. The elevator and heat are working at this time.

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New Business

Consideration of approval of Resolution No. 2019-01 – A resolution designating a place for posting of notices of meetings of the Town of Yampa Board of Trustees in accordance with C.R.S. Section 24-6-402(2)(C)

Trustee Lewis moved to approve Resolution No. 2019-01 – A resolution designating a place for posting of notices of meetings of the Town of Yampa Board of Trustees in accordance with C.R.S. Section 24-6-402(2)(C). Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

Consideration of approval of Intergovernmental Agreement for the Provision of Building Department Services

Trustee Lewis moved to approve and sign the Intergovernmental Agreement for the Provision of Building Department Services between Routt County and Town of Yampa. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

Post Christmas report and consideration of thank yous

Yampa Valley Electric Association donated the lighting contest prize money. The lighting contest winners were: 1ST – The Eric Glomboske Family – 43 Main St., 2nd - Gary & Carol Burkholder - 570 Terhune Avenue, tie for 3rd – Anthony Zywicki & Sabrina Ray – 325 Main St and The Truitt Family – 580 Roselawn. Due to the tie for 3rd, there was no 4th place winner. Note: we had 23 votes cast. Skyler & Nic Clark won the Christmas Ham. The following volunteers assisted with the celebration: Rob Anderson, Robert Anderson, Jill Andrews, Brian & Cindy Ashley, Eric Berry, Suzi Crouner, Joe & Carol DeHerrera, Scott & Tammy Delto, Jeff Drust & Cindy Wren, Tom & Eloise Estes, Lynn Harding, Ed & Kate Hayne, Maura Karow, Mike Lewis, Crystal McLaughlin, The Milway Family, Cindia Montgomery, Wendy Moreau, Kade & Kasey O'Halloran, Rod, Raylene, Grace & Kate Olinger, Jo, Ryan, Makinley, & Peyton Parker, Nora Phillips, Jim & Tillie Price, Zach Reynen, Greg Samuelson, Dick Sutton, Aaron, Sheila & Noah Symons, Sandy Wisecup, Anthony Zywicki and of course Santa. Donations or other type of assistance: Ed & Kate Hayne shared their Christmas village with the town. Montgomery's General Merchandise reduced the amount the Town owed them for the Christmas goody bags' contents. Dick & Kay Palmer continue to give a portion of the Zirkel Wireless lease to the Town for the Christmas celebration. Yampa Bible Church coordinated their Christmas Eve service time so folks could attend both it and the town celebration. Yampa Fire Department delivered Santa to Crossan's and took bags to senior citizens, shut-ins and town board after the visit at Crossan's. Deputy Clerk Phillips oversaw the preparations for the celebration. 125 candy bags were prepared with just a few left over. Donations or other type of assistance: Jeff Drust provided the music and the outdoor lighted candy canes. It was suggested that next

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year, Santa's helpers ask the kids their names and announce them as the kids are ready to visit with Santa as Santa had a hard time hearing names.

Yampa municipal court year-end report (informational only)

The municipal court year-end report was in town board and audience packets for review. The report is provided for informational purposes and no action by the town board is required.

Public Works Department

2018 4th quarter water testing results

The 2018 4th quarter water testing results were in town board and audience packets. There were no questions.

CDPHE letters on LT2 testing done in 2017 (testing not done at proper time)

A violation notice from CDPHE was received stating that the Town had a failure to monitor or timely report LT2 source water results from January 1, 2017 to January 31, 2017. The town was required to test 3 times, but results were only received by CDPHE for 2 tests. PWS Berry reported that he had realized that he had not taken the 3rd test for January and took it in November 2017. Those results had been sent to CDPHE. However, due to the fact that the testing was not done in the correct time period, the public must be notified and PWS Berry said that it would be reported in the Consumer Confidence Report that will go out in June 2019.

A violation notice from CDPHE was received stating that the Town had a failure to monitor or timely report LT2 source water results from August 1, 2017 to August 31, 2017. The town was required to test 2 times, but results were only received by CDPHE for 1 test. PWS Berry reported that he had realized that he had not taken the 2nd test for August and took it in September 2017. Those results had been sent to CDPHE. However, due to the fact that the testing was not done in the correct time period, the public must be notified and PWS Berry said that it would be reported in the Consumer Confidence Report that will go out in June 2019.

Ongoing work

PWS Berry reported that we had a transmission line break on Tuesday, New Year's Day. Due to the cold temperatures, Native Excavating could not get equipment running so they will be here tomorrow, Thursday, January 3rd to repair the break. Mayor Symons asked about the status of flooding the ice rink, PWS Berry said he should be able to do it soon.

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Clerk's review of possible code violations (if any) and required action (if any) and report of on-going business

Code violations

Clerk Ray reported that a complaint was received regarding a trash roll off at 220 4th Street aka 620 4th Street - Kenny and Lacy Trout. The complaint was that the trash roll off has been in the street right of way for a couple of years. PWS Berry checked the location of the roll off and it is in the right of way. Clerk Ray said that through her review of the code, the town can require that it be moved out of the street right of way but does not know if the town has a regulation on the books that could require them to move it off the property. That question would need to go to Attorney Weiss for his opinion. Following discussion, Trustee Lewis moved to send a letter to Kenny and Lacy Trout telling them that the roll off needs moved out of the street right of way. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

Report of on-going business

Clerk Ray said that she had reviewed the draft minutes of the November meeting prepared by Clerk O'Halloran and questioned whether the town board was looking to have the public meeting first or take the proposed ordinance on the design criteria to Attorney Weiss first. Clerk Ray stated that she did not believe it was an enforceable document as written and voiced concerns about a public meeting with a document that could see substantial change between a public meeting and consideration of adoption by the town board. Mayor Symons said that he felt the group was trying to keep the language general to give Planning Commission and the Town Board some flexibility when considering design. Audience member, Ken Montgomery said that as a taxpayer, he did not think it best to have the attorney rework the proposed ordinance without knowing how the residents feel. Some board members agreed with that thought. Clerk Ray said she would work on further details.

Clerk Ray reported that there is a triangle shaped piece of property on the northeast side of the highway, behind the CDOT property that is within town limits. It is a part of the Carl and Marguerite Nelson ranch. Staff has received questions about placing a dwelling on the property. Clerk Ray was informed that the property, even though it is within town limits, is still a part of the ranch because it has not been subdivided. Clerk Ray is working with Routt County Planning and Attorney Weiss regarding what possibilities there are for getting the property to a state that it could be built on.

The Town has not received verification from Historic Yampa, LLC's insurance company that Town of Yampa is named as an additional insured. The agreement between the lot owners that they are responsible for maintenance from the main into their properties has not been received. She has made Attorney Weiss aware of the missing documents.

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Clerk Ray emailed with John Salazar regarding the Town Hall roof repair and was informed it will be spring before the repairs are completed.

Reports of Committees

None

Meeting Reports

Schedule Workshops and/or Special Meetings

The Yampa Fire Protection District board can meet with the Yampa town board on January 16th regarding the town hall building. There will be a workshop on January 9th and if topics are ready for discussion, workshops can be held January 23 and 30, but those won't be scheduled until closer to the dates.

Members and audience requests for agenda items for next meeting

Mayor Symons asked if the board could get the information regarding cost estimates for possible Main Street repairs or improvements that Clerk Ray received from Routt County Road & Bridge by the next meeting. Clerk Ray noted that she would have it for the January 9th workshop and apologized that she had not already given it to the board.

Reading of Correspondence and required action if any

Correspondence was circulated for review. No correspondence required board action.

Review December financials, December meter reading report and December invoices/vouchers

December financials were in town board and audience packets for review. The December meter reading report was not available; it will be circulated when available. The December invoices with completed vouchers were circulated for review.

Reading and Payment of Bills

Clerk Ray read the bills. Trustee Lewis moved to pay the bills, Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

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Adjournment

Mayor Symons asked for further business, hearing none he called for adjournment. Trustee Lewis moved to adjourn, Trustee Drust seconded the motion and the motion passed unanimously on voice vote. The meeting adjourned at 8:29 pm.

Robert A. Symons, Mayor

Attest:

Janet L. Ray, Town Clerk

May 1, 2019