

Town of Yampa minutes
October 4, 2017

TOWN OF YAMPA
OCTOBER 4, 2017
YAMPA TOWN HALL

BOARD MEMBERS PRESENT: Mayor Tom Yackey, Mayor Pro-Tem Mike Lewis,
Trustees Brian Ashley, Jeff Drust and Michael French

BOARD MEMBERS ABSENT: None

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

AUDIENCE PRESENT: Brittany & Travis Milway, Noreen Moore, and Scott
Williamson

Call to Order

Mayor Tom Yackey called the meeting to order at 7:00 pm.

Roll Call

Board roll call was taken.

Approval of Minutes

Consideration of approval of April 5, 2017 regular meeting minutes and April 26, 2017
special meeting minutes

Trustee Lewis moved to approve the April 5, 2017 regular meeting minutes and April 26,
2017 special meeting minutes. Trustee Drust seconded the motion and the motion passed
unanimously on voice vote.

Audience participation – Non-agenda items

None

Audience participation – Scheduled items

None

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Old Business

Treatment plant improvements and additional water storage tank update (if any), water pretreatment facility, transmission line replacement, water treatment facility access road update and consideration of any needed approvals (if any)

Clerk Ray said she still needs to finish the final reporting to Colorado Department of Public Health and Environment (CDPHE) and Department of Local Affairs (DOLA) on the treatment plant improvements and additional water storage tank. For the fencing request for proposal (RFP) for the infiltration gallery, we are looking at 1,750 to 1,800 feet of fencing. Mayor Yackey took pictures of the fence that Ron Nielsen put in on his own property and it is five-strand barbed wire fence; 9½ inch spacing between wires from ground up; 15½ foot center treated wood posts with steel posts every 5 feet between posts. Clerk Ray said that the town board would have the opportunity to review the RFP before it goes out. Clerk Ray reported that Amendment #2 for the budget changes to the Small Communities Grant to move monies from one-line item to another was received. After Mayor Yackey signs the amendment, it will be returned to CDPHE for full execution by the State. Regarding the proposed replacement access road to the water treatment facilities, Civil Design Consultants (CDC) will be working with Northwest Colorado Consultants (NWCC) and Western Bionomics as to whether the road in the location Barbara Palmer would like it will work. Clerk Ray said she would send in the extension request to the DOLA grant for the access road no later than next week. The request will be to extend to September 2018. Regarding the Pretreatment building, the project deadline has been extended to December 1, 2018 and Mary Andre with CDC was talking with CDPHE project contact, Elizabeth Hunt, today about interim deliverables and the budget.

Wastewater system improvements update and consideration of any needed approvals

Clerk Ray reported that Mary Andre, CDC, requested of CDPHE, a modification to the Town's Statement of Work (SOW) for the Small Communities Wastewater grant. The request was to change the milestone deadlines for the Preliminary Needs Assessment (PNA) submittal to October 31, 2017 and the other milestone deadlines would remain at July 17, 2018.

Crossan's update and consideration of any needed approvals

Trustee Drust reported that on September 19, he and Noreen Moore attended the Routt County Commissioners meeting to formally thank them for the support they have given the Crossan project and the Town of Yampa. The next task force meeting for the building occupants is scheduled for October 11. Word was received that the Questers grant for \$1,000 for the benches was approved. On October 18, Historic Routt County (HRC) will hold their annual meeting at Crossan's. On October 25 there will be an Owner/Architect/Contractor (OAC) meeting to plan the final construction phase. On

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October 28, the Democrats will hold a meeting at Crossan's. Clerk Ray reported that she has the Memorandum of Understanding (MOU) between HRC and the Town of Yampa, but has not had a chance to review it, which she needs to do before it is given to the town board for consideration.

Ongoing report on Royal Hotel fire clean up and consideration of any needed action

Clerk Ray said that she did not have an update from Commissioner Corrigan because she did not ask for one in a timely manner. PWS Berry said that he would do some fence repair following the high winds that Yampa had experienced and that he will get the green cloth off the fence, which should help it to stand up better.

Yampa Home Simple PUD Update

Clerk Ray said that she doesn't have anything new to report. She said that Mr. Whittall had some open houses, but she does not know what type of feedback he received from those. The question was asked if a soils report had been done. Clerk Ray said that to her knowledge, one had not been done. The question was asked that, if approved, would the PUD be allowed on the town water and sewer system. It was stated that it would be required to be on town water and sewer because the property is within town limits. The question was asked if it would be separate taps for each unit. That answer is currently unknown. The question was asked if the rezoning process approval was separate from the PUD approval. The answer being no, it will all be one process. The question was asked if the PUD was approved and then it was determined that aspects of it, as presented by Mr. Whittall wouldn't work, if the approval had to stand. Clerk Ray said that it is her understanding that the PUD could get initial approval, but with conditions that had to be met as the project moved along and that any time those conditions were not met, the approval could be negated. The question was asked that if the public hearing is held with the plans for the 35 units, would the board have to approve or deny that specific request and if denied, would Mr. Whittall have to start the process again? Clerk Ray did not have the answer and stated that she would ask the town attorney. The question was asked whether the Mayor votes or just votes to break a tie. Clerk Ray said that he votes and not just to break a tie and she thinks that a tie vote would be a no vote; she will ask that question of the attorney, also.

New Business

Consideration of renewal of G & G, LLC dba Yampa Sinclair 3.2% beer off premises (city) license

Clerk Ray reported that the renewal paperwork is in order and the fees are paid. Clerk Ray said she is not aware of any violations during the past year. Trustee Lewis moved to approve the renewal of G & G, LLC dba Yampa Sinclair 3.2% beer off premises (city) license.

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Trustee Drust seconded the motion and the motion passed unanimously on the following roll call vote: Drust – yes, French – yes, Lewis – yes, Yackey – yes, and Ashley – yes.

Public Works Department

Water testing results for lead and copper testing

The water testing results for lead and copper that were tabled from the September meeting were in board and audience packets for this meeting. Mayor Yackey asked how often these tests need done; the answer being yearly. All results were way below the allowable limits, which is what is wanted.

Wastewater nutrient testing results

The test results were in board and audience packets. PWS Berry noted that the results were very similar to last year's results from the same period. There were no questions or discussion.

Division of Water Resources order to reset/replace measuring device – Bird Ditch

A letter was received from the Department of Natural Resources – Division of Water Resources regarding the need for the owners or users of water rights in the Bird Ditch that a measuring device that can accurately measure the diversions of water from the ditch need to be provided. The letter noted that the current measuring device located on the Bird Ditch is not accurately measuring the diversions of water. The device must be reset or replaced prior to diverting water in the spring of 2018 and failure to do so may result in an enforcement action. PWS Berry said that he did not know if the town would be a part of it, but that he wouldn't be surprised to be brought into it. Mayor Yackey pointed out that when Bill Milner obtained the ditch rights for the town many years ago, he also got three points of diversion. At one diversion point there is nothing existing and that is at the infiltration gallery. Mayor Yackey said that he did not know that it would ever be used. Mayor Yackey said that Mr. Milner's thoughts at the time were that if the gallery got low, it could be flooded and recharge the system, but that is not an option with today's regulations. The second point of diversion is at the water treatment plant for the surface water usage and that is metered and would give a more accurate reading than a measuring device. The third point of diversion is the existing measuring device on the ditch and the town doesn't have usage out of it, but the town might have liability because of the town's water right and the town doesn't want to jeopardize the town's rights. Mayor Yackey said he wonders how the cost of the measuring device is divided among the water right owners, i.e. if there are 10 owners do they split the cost equally or is the cost based on the percentage of water rights that are owned. Mayor Yackey said the town needs to prove to District Engineer, Erin Light, that what water the town can use is measured with a meter and that is more accurate than a measuring box would be. He said we need to speak with Ms. Light to answer the question of the infiltration

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gallery diversion point and with the other ditch owners about how the requirements in the letter are being handled. PWS Berry said that it is his understanding that the boxes are set too low and need to be set higher, so the measurements are more accurate. PWS Berry was instructed to follow up with Ms. Light and the other ditch owners.

Division of Water Resources order to reset/replace measuring device – Nickell Ditch

A letter was also received from the Department of Natural Resources – Division of Water Resources regarding the Nickell Ditch. The follow up on the Nickell Ditch is the same as for the Bird Ditch.

Ongoing work

PWS Berry said he has been doing paperwork. Both he and PWA Samuelson have been preparing the streets that will get the gravel that Bob Hassig thought he would be available to haul next week. PWA Samuelson has been cleaning up and organizing the shop. Mayor Yackey asked the status of water meter parts. PWS Berry said that he has some parts on hand and can get others, but that the town will need to use a different meter in the future as Badger meters are no longer available.

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

Code violations

Clerk Ray said that no new code violations have been reported to her.

Ongoing business

Clerk Ray explained that the Colorado Department of Transportation (CDOT) had requested a letter of support from the Northwest Transportation Planning Region (NWTPR) for a Transportation Investment Generating Economic Recovery (TIGER) Grant Application for the State Highway (SH) 13 Corridor Project from Wyoming south to Rifle. The SH 13 Corridor Project is a safety project that will benefit all Northwest Colorado. Trustee Lewis moved to have the Town of Yampa agree to the letter and Trustee Drust seconded the motion and the motion passed unanimously on voice vote. Clerk Ray reported that she received the 2016 final audit from Chris Catterson and she sent it to the State Auditor's office on September 29, 2017 and received confirmation that they received it. She said she still needs to send it to the funding agencies. The town received the extension of the temporary certificate of occupancy for the Crossan building, which will expire June 1, 2018. Clerk Ray said she has not communicated with Mark Huffstetler regarding the clean up where the trailer was removed, but will do so soon. Clerk Ray said she has not had time to follow up on the Yampa Beautification Plan, so she does not know how far along the students are with

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the project. The town received the health insurance information yesterday, but she hasn't had a chance to review it yet. Clerk Ray reported that she has been working with two different properties regarding possible variance applications. Clerk Ray said she attended a three-hour Highway Users Trust Fund (HUTF) webinar this morning on how to use their reporting system. Clerk Ray said that she would try to get the building code ordinance reworked for the town board to review prior to a meeting in November to consider adoption. Clerk Ray informed the board that the Yampa-Egeria Historical Society (YEHS) is looking to purchase one or two storage sheds and had asked Clerk Ray to speak with the town board about a location to place them on town property as YEHS does not own any property.

Reports of Committees

Friends of Crossan's (FOC)

FOC President Drust said he did not have anything further to report than what he reported under the Crossan update previously in the meeting.

Meeting Reports

CDOT annual presentation to Routt County Commissioners

Clerk Ray reported that she attended the presentation and she passed around the booklet that was used for the report. The booklet contains a lot of useful CDOT information that can be used throughout the year.

Schedule Workshops and/or Special Meetings

Mayor Yackey will call special meetings and/or workshops as needed. There will probably be a workshop on October 11 and possibly a special meeting on October 25. There will not be a special meeting nor workshop on October 18 because of the HRC annual meeting.

Board Members and audience requests for agenda items for next meeting

None

Reading of Correspondence and required action if any

Correspondence was circulated for review. None required board action.

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

The financials were in town board and audience packets for review. The September meter reading report and September 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 Ashley seconded the motion and the motion passed unanimously on voice vote.

Adjournment

The Mayor 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 9:02 pm.

Thomas E. Yackey, Mayor

Janet L. Ray, Town Clerk

January 3, 2018