

Town of Yampa
December 2, 2015 minutes

TOWN OF YAMPA
DECEMBER 2, 2015
YAMPA TOWN HALL

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

BOARD MEMBERS ABSENT: None

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

AUDIENCE PRESENT: David Brunner, Margaret Chipman, Ken & Angel
Clark, Michael French, Bob & Mary Jane Logan, Mark
& Jeannie Jo Logan, Jeanie Lombardi, Bill & Brenda
Northrop, Raylene Olinger, Jo Parker, Randy Sackett,
Kristi Schalnus, Jay Whaley, and Steve & Pam
Williams

CALL TO ORDER

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

ROLL CALL

Board roll call was taken.

PUBLIC HEARING – PROPOSED 2016 BUDGET

The public hearing for the 2016 budget was opened. The proposed 2016 budget was in town board and audience packets for review. Clerk Ray reviewed changes and additions to the budget that followed the last budget workshop. There were no questions from either the town board or audience members. The hearing was closed.

AUDIENCE PARTICIPATION – NON-AGENDA ITEMS

None

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AUDIENCE PARTICIPATION – SCHEDULED ITEMS

Tour de Steamboat presentation

Steve & Pam Williams were present to discuss the Tour de Steamboat being held Saturday, July 23, 2016. They noted that Katie Lindquist had been scheduled to lead the presentation, but was unable to attend. Mr. Williams explained that the Tour de Steamboat is a charity ride that is in its 13th year. The ride has raised thousands of dollars for nonprofits over the years. There are usually around 700 riders. There will be four rides this year. A 26-mile ride to Sydney Peak Ranch south of Steamboat on CO 131. A 46-mile ride south over Yellow Jacket Pass to Stagecoach Reservoir, back through the town of Oak Creek returning to Steamboat via Oak Creek Canyon. A 116-mile ride over Rabbit Ears and Gore passes that returns through Yampa and Oak Creek back to Steamboat. A new 66-mile ride that takes riders to Stagecoach, goes south to Phippsburg and connects with the back roads along the base of the Flat Tops to Yampa and back to Steamboat via Oak Creek and Oak Creek Canyon. There will be an aid station in Yampa. Riders start around 7:00 am and end between 5 and 6 pm in Steamboat for a BBQ. There is some food and beverages at the aid stations, but organizations are allowed to sell products as well. There are port-a lets at each aid station. There is EMS and state patrol support. Mr. Williams said that it is their hope that people unfamiliar with Yampa will see what they miss when just passing through on the highway and will return at other times to give the town some business. Following Mr. Williams presentation, the Town Board agreed that the ride would be good for the town and thanked Mr. & Mrs. Williams for the presentation and for including Yampa in their plans.

Presentation on schools and consideration of action if any

Brenda Northrop was present to voice her concern with the Steamboat Pilot articles about Soroco that she feels represent Soroco badly and to discuss the subject of open enrollment. Several area residents attended the meeting as well. Ms. Northrop was asking for a letter of support from the Yampa Town Board to the Soroco School Board offering encouragement for the positive things that Soroco has to offer. She noted that Soroco and Steamboat Springs schools offer different things and that Soroco offers some things that can't be found at Steamboat Springs. Others from the audience agreed with her, pointing out that they were speaking out about the positive things about Soroco that should be emphasized and were not present to speak negatively about Steamboat Springs. Some noted that consolidation was a concept that really concerned some people because South Routt citizens do not want to lose control of the school system. Regarding open enrollment, Ms. Northrop passed around some information about open enrollment and stated that in the present situation between Soroco and Steamboat Springs, she was opposed to it, citing Soroco losing students and Steamboat Springs being overcrowded. It was noted however, that there are students living in the Steamboat Springs school district that have chosen to attend Soroco, so not allowing open enrollment could present some unintended consequences. Ms. Northrop said she contacted various officials at varying levels of government to discuss open enrollment,

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including Governor Hickenlooper, U.S. Congressman Buck, State Representative Mitsch-Bush, State Senator Randy Baumgardner and Soroco Superintendent Darci Mohr. Ms. Northrop said that Senator Baumgardner is the only one she heard back from and he is looking into the open enrollment laws. Ms. Northrop said she appreciated both Jay Whaley and Dean Massey's positive letters that appeared in the Steamboat Pilot. The following persons spoke in support of the Soroco school system: Eric Berry, Kristi Schalnus, Michael French, Jeanie Lombardi, Margaret Chipman, Raylene Olinger, Bob Logan, Jeanne Jo Logan, Angel Clark, David Brunner, Tom Yackey, Jo Parker, and Jay Whaley. Following public and town board comments, Trustee Drust moved to send the South Routt School District a letter of support during these times of declining enrollment and offering the assistance of the Town of Yampa, if there was anything the Town could do. Trustee Lewis seconded the motion and the motion passed unanimously on voice vote.

OLD BUSINESS

Treatment plant improvements and additional water storage tank update and consideration of any needed changes or approvals

Engineer Randy Sackett gave an update of work performed to date since construction started on July 29, 2015 and said that the project is 47% complete. As previously noted, the tank site is shut down for the winter. He gave an overview of work projected over the next month. Mr. Sackett suggested that town board members visit the site if possible and noted that Civil Design Consultants (CDC) will be providing photos as well. He reviewed the field directives and stated that CDC is waiting on some documentation from the contractor, but overall, the field directive process is working well. He reviewed submittals and stated that CDC is waiting for some missing or overdue submittal items, but that necessary submittals for Schedule A the Water Treatment Facility (WTF) that are required for WTF substantial completion have been received. The estimated sum of all Time & Materials items thus far, including project credits, is approximately \$30,000 to \$40,000 and within budget. The contractor's pay request #4 was in town board packets for review at this meeting. There were no questions from the Town Board. Pay requests #1 through #4 total \$1,284,168.50 with Retainage at \$64,208.43. Regarding State Revolving Fund (SRF) compliance, CDC is waiting on some certification letters on various items for American Iron & Steele (AIS) compliance. All certified payroll to date have checked out to be compliant with Davis Bacon wages. There are various miscellaneous items that are being worked through. It became evident that the 12/15/15 substantial completion date was not going to be met and CDC and the Town began working with Colorado Department of Public Health and Environment (CDPHE) on what it would mean to the enforcement order to not meet that deadline. Duckels has stated that they believe substantial completion can be accomplished by January 28, 2016. Following telephone conferences between CDC, CDPHE and the Town, CDPHE will not issue an extension to the enforcement order, but have verbally told the Town they will not be penalized for not meeting the deadline. Even with the phone conversations, the Town will receive a letter that reiterates it is not in compliance. CDC will prepare a full

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project update and provide updates every two weeks until substantial compliance has been achieved. Mr. Sackett noted that the delay in substantial completion will probably require a change order that will need the Town's approval. Upon learning that the Town Board would be having a special meeting on December 9, 2016, Mr. Sackett stated that the change order could be an agenda item at that time because the specifics would be better known by then. CDC is still working with Routt County Road & Bridge to reach an agreement on the Control Valve Vault position and elevation off of Routt County Road 7. The Contractor did repair work on the Watson Creek Trail cattle guard, but if additional repairs are deemed necessary, it can be negotiated and would likely be performed in the spring. Mayor Yackey said that he hasn't been back up to look at it, but at this time he has not received any further complaints. Clerk Ray reported to the Town Board that during the teleconference with CDPHE, they pointed out that they were suppose to be getting project reports throughout the life of the project, which has not happened. She apologized for the lapse and will try to keep better track as the project continues. Clerk Ray reported that she has not heard anything from Bob Maddox regarding the appraisal on the infiltration gallery property.

Wastewater system improvements update and consideration of any needed changes or approvals

Mr. Sackett reported that CDC reviewed the Wastewater Treatment Facility (WWTF) modification time table dated October 16, 2015. The time table was originally suggested by CDC and the Town agreed, but upon further review, CDC decided the time table was not realistic. CDC prepared a letter that the Town sent to CDPHE November 16, 2015, during the modification public comment period, that reiterated it was decided that the time table was not realistic and proposing a new schedule that the Town could more readily achieve. In addition, the Town submitted a Small Communities Grant Application in the amount of \$100,000 that would fund completion of the Preliminary Engineering Report, Project Needs Assessment and Environmental Assessment for evaluating the proposed wastewater treatment facility improvements and completion of a Preliminary Design and Site Application for the chosen improvements alternative.

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

Clerk Ray reported that there will be a teleconference call at 9:00 am, December 10, 2015. Participants will include representatives from CDPHE, Colorado Attorney General's office, Routt County and Town of Yampa. Until that time, there is nothing new to report.

NEW BUSINESS

Finalize Christmas preparations

Clerk Ray had asked PWS Berry to have the Christmas tree for town hall here on or around December 1. Trustee Lewis volunteered to help PWS Berry get the tree. Mr. Berry said he

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would get the Christmas decorations up as soon as he could. Mayor Yackey has talked to Santa and he will visit at the town tree in Yackey Park on Christmas Eve. Mr. Berry said the fire department will assist with delivering Santa and the candy bags to Yackey Park. Mr. Drust has prepared the Christmas Star and it is lit. Clerk Ray talked with Yampa Valley Electric Association (YVEA) and they are sponsoring the lighting contest. Ken Montgomery procured South Routt Bucs for the lighting contest prizes. The entry forms for residents to judge the lighting contest will be included in the December water/sewer billing. The town will sponsor the ham drawing for the townspeople who vote in the lighting contest. The candy for the candy bags is ordered. Popcorn balls will be made at the Estes's home on Monday, December 21, 6:30 pm and the candy bags will be put together on Tuesday, December 22, 10:00 am, at Town Hall. Clerk Ray will finalize with either Haynes or Olingers to serve refreshments Christmas Eve and there are volunteers to bring cookies. Public Works personnel will check the "Santa is coming" sign and make any needed repairs prior to December 17 when it will be displayed. Clerk Ray and Deputy Clerk Phillips will prepare the Senior Citizen list for Santa to deliver candy bags after the visit with the young people at the tree on Christmas Eve. Mr. Drust will hook up the music and set up the decorations at Santa's chair in Yackey Park on Christmas Eve.

Rules of use for Ladies Aid Hall

Clerk Ray said she was told to put this item on the agenda so she did; however, she knew at the time that she would not have the needed information for the town board to review or act on. She noted that she has started drafting the rules for use, but they are very preliminary and she won't have an opportunity to work on them for some time. She noted that the additional paperwork with the water project, has caused and will continue to cause backlog on other tasks.

Consideration of approval of trade name change for Little Beaver's Liquor, Inc. DBA Little Beaver's Liquor change to Little Beaver's Liquor, Inc. DBA Yampa Liquors

Clerk Ray explained that this agenda item was revised today to accommodate a change to the DBA name of this liquor store. Ms. Northrop called to tell Clerk Ray that the name D & T's Liquor Store was already being used so Mr. & Mrs. Northrop decided to use Yampa Liquors. Clerk Ray spoke with Attorney Weiss to ask if she could change the agenda item at such late notice. Mr. Weiss felt it would be okay, but reiterated to Clerk Ray that the decision to act on the request or to table it until another meeting remained the Town Board's. The agendas posted at Town Hall and the Post Office were revised to show the change. The Town Board agreed to move forward with the request. Clerk Ray explained that the name change was necessary in order for Mr. & Mrs. Northrop to avoid a lawsuit because of a similar liquor store name in the Avon, Colorado area. They decided it would not be worth the time or money to fight the other liquor store owner's demands to not use the name. Following the explanation, Trustee Lewis moved to approve the name change from Little Beaver's Liquor, Inc., DBA Little Beaver's Liquor to Little Beaver's Liquor, Inc. DBA Yampa Liquors.

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Trustee Drust seconded the motion and the motion passed on the following roll call vote:
Ashley-yes, Drust-yes, Estes-yes, Lewis-yes, and Yackey-yes.

Designation of individual or committee for management responsibilities and consideration of signing audit engagement letter

Clerk Ray told the Town Board that she did not have the audit engagement letter to put in the board packets, but had received it since the packets had been passed out. The letter was available to review at this meeting. Trustee Lewis moved to have the Mayor sign the audit engagement letter. Trustee Drust seconded the motion and the motion passed unanimously on voice vote. Trustee Ashley moved for Clerk Ray to be the individual responsible for management responsibilities as it pertains to the town's audit. Trustee Drust seconded the motion and the motion passed unanimously on voice vote. Trustee Lewis volunteered to serve on the audit committee.

Resolution No. 2015-07 – A resolution designating holidays at Town of Yampa for the year 2016

Trustee Lewis moved to approve Resolution No. 2015-07 – a resolution designating holidays at Town of Yampa for the year 2016. Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

Consideration of approval of new account set up with Schrader Propane

Trustee Lewis moved to approve a new account set up with Schrader Propane. Clerk Ray noted that the propane tank is at the Water Treatment Facility. PWS Berry stated that it is an underground tank. Trustee Drust seconded the motion and the motion passed unanimously on voice vote. The question was asked if the Town would own the tank; Clerk Ray said she did not know, but would find out.

Consideration of signing United States Department of Agriculture (USDA)– Forest Service Special Use Permit for 4th of July fireworks launch site & placement of Christmas Star

Clerk Ray stated that she received a revised permit after it was in the Town Board packets. There were two changes to the permit: Page 1 paragraph 3, last sentence currently reads “The yearly fire suppression plan and the attached map are a part of this permit.” The revised permit reads “The yearly operations plan/fire suppression plan and the attached map are a part of this permit.”. Pg 2 – Item C. Operating Plan – currently reads “The holder shall prepare and annually revise by NA an operating plan”. The revised permit reads “The holder shall prepare and annually revise by June 1 an operating plan”. Trustee Lewis moved to accept and sign the USDA-Forest Service Special Use Permit with the revisions read tonight. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

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PUBLIC WORKS DEPARTMENT

Wastewater nutrient testing results

The results were in the town board and audience packets. Mayor Yackey asked how these results compare to what is required for the ammonia standards. PWS Berry said that the Town's permit has a March requirement of 35 mg/l or less, April is 40 mg/l or less. Mayor Yackey said he was asking because he wanted to know the degree of noncompliance that is requiring the upgrade to the wastewater plant.

Repairs on 1988 Ford PU report

PWS Berry reported that the pickup has an oil leak. He needs to remove and replace the oil plug and he needs to braze a thicker piece of metal on the oil pan. The radiator is leaking around the end cap, which is plastic. It may require a new radiator, he does not know yet. PWS Berry said that he had planned to have the repairs completed prior to this meeting to give a comprehensive report on the repairs, but he had had too many other projects that required his attention.

Water usage report

The yearly water usage report was in the town board and audience packets for review.

On going work

PWS Berry said that he has been working with the contractor on the WTF improvements. He and PWA Samuelson have been moving snow. Mayor Yackey said that the cross connection problem in the cafeteria at the elementary school that was reported after the 4th of July celebration still exists. Mayor Yackey asked if the 3-way signs for the stop signs at Main and Fifth streets had been mounted and if the fire hydrant in River Park had been repaired. PWS Berry's answer being no to both.

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 she has no new code violations to report.

On going business

Clerk Ray reported that the certified election results on Yampa's broadband question did not change from the unofficial results. Yes votes 112, no votes 29. There was a Yampa signage

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meeting on November 18, which Clerk Ray was unable to attend due to illness, but an email from Christopher Endreson, Technical Assistance Coordinator, sounds like the meeting was productive and that the Colorado Center for Community Development (CCCD) students will be back at the Yampa signage planning project after the holidays. Ron Cordova had emailed stating that he believes he has a water leak in his trailer court and has it on his calendar to have it repaired in the spring. He asked if the Town had someone who knows how to find and repair the leak. Clerk Ray referred him to PWS Berry to answer his questions. The “Shop Local” campaign has begun. Clerk Ray said she hasn't seen much advertising for it here in Yampa, but Ms. Phillips is checking on it.

REPORTS OF COMMITTEES

Friends of Crossan's (FOC)

FOC President Jeff Drust reported that research continues on getting the scope of work and budget in line for the State Historical Fund grant to proceed with the building rehabilitation. The Town received notification that the Routt County Commissioners approved the Town's Museum & Heritage Fund Advisory Board grant request for the Crossan's front porch in the amount of \$10,260 or 50% of the expenditures, whichever is less. A copy of the report that Meg Tully with Historic Routt County prepared for the Gates grant was passed around.

MEETING REPORTS

Northwest Colorado Transportation Planning Region meeting

Clerk Ray did not get this report ready; it will be given at a later meeting.

SCHEDULE WORKSHOPS AND/OR SPECIAL MEETINGS

Trustee Lewis moved to have a special meeting on December 9, 2016. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

BOARD MEMBERS AND AUDIENCE REQUESTS FOR AGENDA ITEMS FOR NEXT MEETING

None

READING OF CORRESPONDENCE AND REQUIRED ACTION IF ANY

Correspondence was circulated. None required action.

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REVIEW FINANCIALS, METER READING REPORT AND NOVEMBER INVOICES

The November financials were in the town board and audience packets for review. There were no questions. November invoices with completed vouchers were circulated for review. There were no questions. The November meter reading report was not available 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.

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 9:41 pm.

Thomas E. Yackey, Mayor

Janet L. Ray, Town Clerk

April 6, 2016