

**TOWN OF YAMPA**  
**TOWN BOARD MINUTES**  
**February 5, 2025 – 6:00 pm**

**BOARD MEMBERS PRESENT:** Mayor Geilert, Trustee Lewis, Trustee Montgomery, Trustee Kindsvater, and Trustee Geanious

**EMPLOYEES PRESENT:** Town Administrator/Clerk Sheila Symons and Planner/Treasurer Mary Alice Page-Allen

**AUDIENCE PRESENT:** Janet Ray and Aaron Symons

**1. Call to Order**

- Mayor Geilert called the meeting to order at 6:00 pm
- The Pledge of Allegiance was recited
- Roll call was taken

**2. Audience Participation**

None.

**3. Resolution 2025-04 South Routt Library District Board Appointment**

It was noted that the statute that establishes the Library District mandates that the creating entities—two towns and the county—must approve any appointments to the Library District board within 60 days of the Library Board's authorization, and if they fail to do so within this timeframe, the appointment automatically takes effect.

**Motion**

Trustee Lewis made a motion to authorize to sign Resolution 2025-04, A Resolution Appointing Renee Cass for a 5-year term beginning December 4, 2024 and ending December 4, 2029. Trustee Geanious seconded the motion. The motion passed unanimously.

**4. Resolution 2025-05 Huffstetler Water & Sewer Tap Forfeiture Agreement**

Mary Alice outlined the ongoing work on code enforcement over the past few years with Mark Huffstetler, owner of the Huffstetler Mobile Home Park at 183 Moffat Avenue, who indicated his agreement with this proposed agreement, adding that he is not available to attend this evening. She explained that the proposal provides incentives for cleanup by providing the five-year forfeiture period for abandoned taps contingent on code compliance within two years.

Trustee Montgomery raised several questions and concerns, particularly about the financial impact on the Town. He asked if the number of taps being paid would be reduced from 13 to 7, which Mary Alice confirmed was the process provided to any property owner under the Yampa Utility Code. Trustee Montgomery pointed out that losing those water/sewer monthly bills would cost the Town over \$8,000 a year. Mary Alice clarified that the actual revenue impact is about \$4,800 per water/sewer tap, and reiterated that the abandonment was permissible under the Town's Code. Trustee Montgomery was concerned about the revenue loss and suggested delaying the approval to allow factoring it into next year's budget. He emphasized that while he understood the legal entitlement, he did not support the current plan. He proposed that if Mr. Huffstetler disagreed with the Town's decision, he should take the matter to court. Mary Alice explained that denying the request was not an option under the current code and that the taps are legally abandoned once the homes are removed, reiterating the incentive language for code compliance in the proposed agreement. Trustee Montgomery mentioned an existing tap in town that had been abandoned for two years but was still being paid for, to highlight a situation where the "new" utility code wasn't in place when that tap was abandoned. Mary Alice explained that the five-year rule for abandoned taps has been in effect for several years. Trustee Montgomery stated his belief there had been recent changes. Mary Alice explained that the choice to continue paying without starting the five-year clock was up to the tap owner, consistent with the utility code provisions. Mary Alice clarified that the utility code had not changed other than items related to fees and that the five-year rule has been part of the code for many years. In response to a question, Mary Alice confirmed that the code enforcement case and tap status would follow the property, regardless of ownership changes.

**Motion**

Trustee Lewis made a motion to authorize to signing of Resolution 2025-05, A Resolution Setting the Water and Sewer Tap Forfeiture Dates for Property Located at 183 Moffat Avenue, Yampa knows as the Huffstetler Mobile Home Park. Trustee Geanious seconded the motion. The motion passed with four (4) votes in favor and one (1) vote opposed.

**5. Work Session – Town Board Discussion – 9-Month Review of Board Actions**

Trustee Montgomery indicated his desire to ask some questions about the board's actions over the past nine months. He originally requested time during the Executive Session but was accommodated in the work session for transparency since it didn't fall under an Executive Session as allowed by law.

Trustee Montgomery asked Board members if they had read the Yampa Trustee Board Policies and Procedures, claiming the January 8th meeting was illegal due to a lack of quorum, arguing that the mayor shouldn't be counted for quorum purposes or second motions as he read the requirements. Sheila clarified that the Yampa Town Board Policy & Procedures Handbook allows the mayor to be counted for the purposes of a quorum as well as being permitted to second motions, pointing out these sections to the Board. Trustee Montgomery cited a Colorado Municipal League document, unsure of its exact source. Sheila clarified that the Town of Yampa's adopted Board Policies & Procedures govern, much like adopted by-laws, in these situations, and the meeting was compliant with quorum requirements for the January 8th meeting. Mayor Geilert asked if Trustee Montgomery had a copy of the referenced Policies & Procedures in his handbook binder, and he stated he was unsure about. Mayor Geiler requested that any Board member needing a copy should contact Sheila. Sheila advised any changes to the Policies & Procedures would come forward to the Town Board for discussion and if changes are to be made such would be done by Resolution.

Trustee Montgomery stated his concerns regarding the timely delivery of Board packets, suggesting that a requirement be included in the Town Administrator/Clerk job description. Sheila explained that sometimes delays occur due to incomplete information being available by the Friday at 3:30 p.m. deadline outlined in the Policies & Procedures. Staff was directed that incomplete packets would still be sent by Friday at 3:30 PM to Town Board members and once completed an amended packet will be sent as completed to all Town Board members.

Sheila requested to speak and addressed Trustee Montgomery, expressing frustration over being blindsided by his concerns during meetings. Sheila noted that many of the issues Trustee Montgomery raised could have been discussed in a one-on-one meeting the day before that were scheduled but that he didn't show up for. She emphasized the need for advance notice to allow for proper preparation, thus avoiding situations where Board members and staff look unprepared or uninformed. Sheila highlighted that his approach of bringing up unexpected issues made it difficult for her or Mary Alice to provide accurate information on the spot. She expressed that this pattern of behavior was disrespectful and detrimental to their work. Sheila requested the same courtesy Trustee Montgomery expected from others, asking for a heads-up on topics he intended to discuss during meetings, adding that this would ensure the staff could provide accurate and well-prepared responses, maintaining the professionalism of the Board.

Sheila also mentioned that Trustee Montgomery's tendency to come in "with guns blazing" created a defensive environment and asked for mutual respect and consideration moving forward. She underscored the importance of showing respect to the employees and allowing them to prepare adequately to avoid looking unprepared in front of the public and other Board members. Sheila expressed that the constant unexpected challenges from Trustee Montgomery were becoming intolerable and requested a change in approach to ensure a more respectful and productive working relationship.

**6. Consent Agenda**

**Motion**

Trustee Lewis made a motion to approve the Consent Agenda as presented, specifically the approval of the January 22, 2025, Regular Meeting Minutes and the approval 2025 Business Consulting/Maintenance Agreement with Kenneth A Lebofsky dba Watersong Computer Services in the amount of \$3500/Year. Trustee Geanious seconded the motion; the motion passed unanimously.

**7. Staff and Board Member Reports/Updates**

Mary Alice updated on a vacancy on the Planning Commission due to Diane Mahoney's resignation, which will be advertised in the newsletter and other public places, adding that the Town has already received a letter of interest and will present applicants for the Board's consideration at a future meeting. She noted that applicants must live in Town but do not need the one-year residency required for elected Board members, as this is an appointed position.

She also reported progress on the Land Development Code and historic standards outreach with Janet Ray.

Sheila updated the 4th of July event planning is underway, with March 6th set for the Salsa Contest and loaded nacho night. Advertising and donation jars were discussed. Generous donations from Snowden Meats and Boots and Spurs, and Mocon Pacific Corporation (Darin Fogg) donating generously for the fireworks.

Sheila mentioned job interviews for the water sewer position, with Trustee Lewis participating in the interviews.

**8. Scheduled Meeting/Work Sessions**

- a. Town Board and other requests for Agenda Items
  - i. February 19, 2025 @6:00 p.m. – Town Board Regular Meeting
  - ii. February 26, 2025 @ 6:30 p.m. – Planning Commission Meeting
  - iii. March 5, 2025 @ 6:00 p.m. – Town Board Regular Meeting
  - iv. March 19, 2025 @ 6:00 p.m. – Town Board Regular Meeting
    - 1. Joint work session with planning Commission – Phase II, Land Development Code

**9. Executive Session:**

**Motion**

Trustee Lewis made a motion to enter into Executive Session for personnel matters pursuant to CRS Section 24-6-402(f)(I) – Personnel matters except if the employee who is the subject of the session has requested an open meeting – Sheila Symons, Town Administrator/Clerk, Performance Review. Trustee Geanious seconded the motion. The motion passed unanimously.


At the end of the Executive Session, Mayor Geilert called the meeting back to order and stated that the time was now 7:11 p.m. and the Executive Session has been concluded. She stated that the participants in the Executive Session were Stacey Geilert, Mike Lewis, Michael Geanious, Amy Kindsvater, Ken Montgomery and Sheila Symons. She asked that for the record, if any person who participated in the Executive Session believes that any substantial discussion of any matters not included in the motion to go into the Executive Session occurred during the Executive Session, or that any improper action occurred during the Executive Session in violation of the Open Meetings Law that you state your concerns for the record. There were no stated concerns.

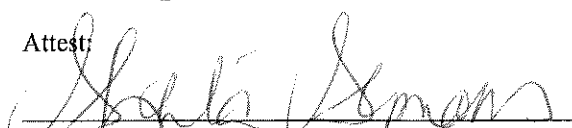
**10. Adjournment**

**Motion**

Trustee Lewis made a motion for adjournment. Trustee Geanious seconded the motion, and the motion passed unanimously. The meeting was adjourned at 7:12 pm.

Approved the 19th day of February 2025.

  
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Stacey Geilert, Mayor

Attest:  
  
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Sheila Symons, Town Administrator/Clerk

