

Town of Yampa minutes  
March 4, 2015

TOWN OF YAMPA  
MARCH 4, 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, Town  
Clerk (Clerk) Janet Ray and Public Works Assistant  
(PWA) Greg Samuelson

AUDIENCE PRESENT: Tim Corrigan, Noreen Moore, Bill Northrop and Randy  
Sackett

CALL TO ORDER

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

ROLL CALL

Board roll call was taken.

APPROVAL OF MINUTES

None

AUDIENCE PARTICIPATION – NON-AGENDA ITEMS

Routt County Commissioner Tim Corrigan was present to urge the Town Board to take immediate action to provide security fencing at the Royal Hotel site. He offered the Routt County Building Department's assistance if needed. He stated that he felt it was the Town Board's responsibility to give notice to the property owner about clean up. He said that most of the concerns he has heard is to have it cleaned up prior to the July 4<sup>th</sup> weekend.

Noreen Moore was present to personally invite everyone to the community outreach meeting to be held March 12<sup>th</sup>, 6:30 pm, Yampa Ladies Aid Hall.

Bill Northrop was present to tell the Town Board that he is interested in cleaning up the Royal Hotel site. While on the subject, Clerk Ray reported that the property had gone into foreclosure and at that point the Town's attorney had been asked for advice on what the Town

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should or could do about the clean up. Following that notice, later in February, there was a notice that the foreclosure was to be withdrawn. Based on the notice that the foreclosure was to be withdrawn, Attorney Bob Weiss advised the Town to communicate with Mr. Ager, asking what the time line for clean up is. If approved tonight, a letter will go out tomorrow.

#### AUDIENCE PARTICIPATION – SCHEDULED ITEMS

None

#### OLD BUSINESS

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

Civil Design Consultants (CDC) Engineer Randy Sackett reported that there had been a pre-bid meeting and a walk through of the water treatment plant and tank site on February 11. The bid opening was scheduled for February 27, but was subsequently postponed until March 6<sup>th</sup> because some of the bidders indicated that they didn't have enough time to prepare a bid for submittal. Mr. Sackett noted that Colorado Department of Public Health and Environment (CDPHE) approval for a bid opening extension was requested and received before the bid opening was postponed. The bid opening will now take place on Friday, March 6<sup>th</sup>, 11:00 am, CDC's office. There had also been requests from some bidders to visit the sites again. That visit and follow up bidders' meeting took place on Monday, March 2<sup>nd</sup>. To date, CDC has issued 3 addenda to the bidding documents, most of which have been clarifications only. Mr. Sackett made the Town Board aware that the question had been raised as to whether the Town would want to consider proposals for work from subcontractors as the project moves along or if they would want to leave that to the general contractor. No decision is needed at this meeting, but may need further consideration later. Mr. Sackett handed out the Engineer's Opinion of Probably Costs, which they will compare line by line to the bid documents when the bids are opened on March 6<sup>th</sup>. There are a few items that will be the town's financial responsibility, such as some electrical work at the water treatment facility and the control valve site, cost estimated at \$12,000. Based on the schedule in the bid documents and the CDPHE schedule, the soonest the notice of award could be issued would be May 1. This allows the time needed for CDPHE to review the environmental assessment and issue the FONSI (Finding of No Significant Impact). The FONSI must be published for 30 days to allow public comment. Between March 6<sup>th</sup> and May 1, CDC and the Town Board will review the project budget. Mr. Sackett noted that they would probably be issuing one more addendum tomorrow, which would be in regards to the electrical work and that will likely be the last one.

Clerk Ray reported that Tom Yackey, Eric Berry and herself reviewed all of the correction deed documents and sent comments to Attorney Bob Weiss. Raw water taps were reviewed; a tap for domestic water use was agreed to in 1939, and taps were again addressed in the

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agreements prepared in the 1970s. It was noted that the domestic water tap granted in 1939 has never been used at the residence. Per the documents, Palmers are allowed two taps and PWS Berry says that presently those two taps are feeding 4 stock water tanks. Barbara Palmer has requested a written agreement for the proposed access road, an agreement for the use of the existing access road as temporary access until the new access road is completed and an agreement for use of property for a staging area. Bob Weiss is working on a draft of that agreement. The subdivision exemption for the tank site is in the process. Clerk Ray reported that she has spoken with Troy Brookshire regarding any updates on the infiltration gallery contract. Mr. Brookshire says that he has left messages with Bob Weiss to follow up with Bobby George's attorney on the matter. Ms. Knott with the Colorado Cattlemen's Agricultural Land Trust communicated to Mr. Brookshire that their attorney is working on the paperwork needed from them as well. Clerk Ray noted that Yampa District Ranger Jack Lewis has transferred and there is an interim ranger in place. Forest Service employee Keesha Cary, who processed the special use permit, will transfer to Meeker soon and the property acquisition request will fall back to Janet Faller who works in the Steamboat Springs Forest Service office. The Forest Service brought up concerns with access to their parking area and backside of their property during the pipeline work on Third Street/Watson Creek Trail. Ms. Cary and PWS Berry believe the south entrance off of Roselawn can access the back side of the property that sets above the upper Bird Ditch and that there is secondary parking on the south side of their shop.

#### Wastewater system improvements update – Randy Sackett, Eric Berry and Janet Ray

Mr. Sackett stated that he believes CDC needs to draft a letter for the Town to send to CDPHE regarding an extension to the compliance schedule for the permit compliance schedule violation. Other sources of funding for preparation of the Preliminary Engineering Report (PER) were discussed, but it has taken a back seat to getting the water project off the ground. PWS Berry reported that he and Engineer Matt Mielke, CDC, traveled to Kremmling to see an experimental solution to the ammonia problems, such as the Town of Yampa is experiencing, through the use of igloo looking devices that cover the wastewater treatment ponds. The Town of Kremmling is working towards getting CDPHE approval of the treatment process by summer and PWS Berry will continue following their progress.

#### NEW BUSINESS

#### Consideration of small tracts act application – United States Department of Agriculture Forest Service for Third Street property acquisition

Trustee Lewis moved to approve submitting the Small Tracts Act application to the United States Department of Agriculture Forest Service for the acquisition of 0.30 acres in the SE1/4, Sec 10, T2N, R85W, 6<sup>th</sup> principal meridian also known as the south side of Third Street, Yampa, Colorado. Trustee Drust seconded the motion and the motion passed on the

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following roll call vote: Lewis – yes, Yackey – yes, Ashley – yes, Drust – yes and Estes – yes.

Consideration of approval of renewal for Flattop Liquor, LLC dba Flattop Liquor for retail liquor store license (tabled from January 7, 2015 & again February 4, 2015)

Clerk Ray reported for the record that an email from Nicole Ager was received stating that Flattop Liquor has chosen not to apply for renewal of the retail liquor store license; therefore, no action by the Town Board is required.

Consideration of Centennial Bank certificate renewal

The Clerk reported that the certificate at Centennial Bank is currently earning 0.6% and the renewal rate would be 0.5%. Bank of the San Juans would pay 0.2%, Mountain Valley Bank is at 0.25% (with a note that they might go to 0.3%. Centennial Bank remains the highest of the banks that Deputy Clerk Phillips had obtained quotes from. M/S/P Trustees Lewis, Drust to renew the certificate with Centennial Bank.

Consideration of approval of Resolution No. 2015-02 – South Routt Library District appointment of Tom Lillie

M/S/P Trustees Lewis, Ashley to adopt Resolution No. 2015-02 – a resolution appointing Tom Lillie to the South Routt Library District.

Consideration of approval of Resolution No. 2015-03 – South Routt Library District appointment of Judith Hiester

M/S/P Trustees Lewis, Ashley to adopt Resolution No. 2015-03 – a resolution appointing Judith Hiester to the South Routt Library District.

Clerk Ray noted that she had previously been asked about the makeup of the South Routt Library District and she received information from the District that 2 members are from the Yampa area, 3 members from the Oak Creek area and 2 members from the Stagecoach area. Lisa Rangel and Linda Dilley are the current Yampa representatives.

PUBLIC WORKS DEPARTMENT

Consideration of Colorado 811 membership – Tier One or Tier Two

PWS Berry reported to the town board that it is now mandated by the State of Colorado to be a member of the Colorado 811 notification system. He explained that the Tier One membership includes a phone call or email from the Utility Notification Center of Colorado (UNCC) when a contractor requests locates. Tier Two membership does not include a phone

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call or email from UNCC, but rather it is up to the contractor to contact the utility directly. It was discussed that notification from UNCC makes town board members more comfortable. The membership cost for Tier One is \$25.00, plus \$1.43 per notification. The membership cost for Tier Two is \$25.00. The question was asked whether the \$25.00 is an annual fee or a one time fee. Neither PWS Berry nor Clerk Ray knew the answer, but said they would find out. M/S/P Trustees Lewis, Drust to join the Colorado 811 system at the Tier One level.

Discussion and consideration of Eric Berry's attendance at 2015 Colorado Rural Water Association (CRWA) annual conference April 13-16

M/S/P Trustees Lewis, Drust to approve PWS Berry's attendance at the 2015 CRWA annual conference April 13-16.

Consideration of appointment of Eric J. Berry as voting delegate to Colorado Rural Water Association (CRWA) Annual Meeting at CRWA conference

M/S/P Trustees Lewis, Drust to appoint PWS Berry as the voting delegate for the Town of Yampa to the CRWA annual meeting at the CRWA conference.

Consideration of Coverage of Public Works Department during Eric Berry's absence

PWA Samuelson is available to cover the time that PWS Berry is attending the CRWA conference. His request is for regular hourly wages up to 40 hours, noting that overtime or time and one-half only applies after 40 hours. He requests on call pay at \$5.00/hr beginning when he leaves his regular work day to 6:30 pm each day. PWA Samuelson has requested that prior to leaving, PWS Berry bring him up to speed regarding what projects might be coming up during PWS Berry's absence, what is happening with chlorine at the water plant and what his routine should be with the furnaces. PWA Samuelson voiced his concern with the times that PWS Berry leaves town without communicating that he will be gone and what projects need attention during that time. The Board directed PWS Berry to make a conscience effort to better communicate with PWA Samuelson.

Ongoing work

PWS Berry reported that he had spent quite a bit of time on paperwork and PWA Samuelson has been grading streets. He reported that they had both plowed snow. Mayor Yackey asked if we have aerators down (not working) at the wastewater plant? PWS Berry said 2 aerators in the first pond are down. He said that one had been down for over a year and the second one quit just prior to freeze up and he didn't get it out of the pond. He went on to say that he had intended to shut them down during the winter anyway, because he wanted to see how that would affect the ammonia levels. The levels were a little higher. He said that he needs to get the motors rebuilt. He has a third motor that needs rebuilt as well. Clerk Ray asked if rebuilding the motors is in the budget? PWS Berry said rebuilding two of them is. The

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water pump went out on the town truck, but PWS Berry was able to get it replaced and working over this past weekend.

CLERK'S REVIEW OF POSSIBLE CODE VIOLATIONS (IF ANY) AND REQUIRED ACTION (IF ANY)

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

REPORT OF ON-GOING BUSINESS

A letter to Reno (Bill) Ager requesting a time line for property clean up following the Royal Hotel fire was reviewed by the Board and all noted that they approved the letter. Clerk Ray said it would be sent tomorrow. The letter requests a response by March 12<sup>th</sup>. In regards to audit preparation, the 3<sup>rd</sup> and 4<sup>th</sup> qtr reports on the water system improvements and 4<sup>th</sup> qtr report on the Crossan construction documents grant were sent to the state and reimbursements were received. Minutes were sent to Auditor Chris Catterson for review. Clerk Ray said she still needs to prepare the depreciation schedules and get all records needed for the audit ready for Mr. Catterson's visit. The Conservation Trust Fund report, Highway Users Trust Fund report and Management's Discussion & Analysis still need prepared. The Clerk is still in need of two file cabinets; one needs to be locking. Scott and Tammy Delto are helping dispose of the past years' state statute books through the recycling center in Eagle. When that is done, it will free up some space in the records room for long term storage. Updating the agreement with Northwest Colorado Council of Governments regarding the revised Conveyance Regulations effective January 1, 2015 for Safety Code for Elevators and Escalators and Safety Standard for Platform Lifts and Stairway Chair Lifts that Yampa must adopt by April 1, 2015 is still to be done. Communications to the community regarding the proposal of no parking on the southwest side of Lincoln Street has not happened. It should go in the next newsletter. Clerk Ray reported that she and Mayor Yackey attended the February 17, 2015, school board meeting where the school board approved submitting the childcare center application to the Colorado Department of Human Services – Division of Child Care.

REPORTS OF COMMITTEES

Friends of Crossan's M & A Market Committee (FOC)

Committee Chair Drust reported that the presentation to the Department of Local Affairs Energy Impact Committee will be March 17. Clerk Ray and some of the Friends of Crossan's Board will attend the hearing to give the presentation and answer questions for the committee. The presentation is done in support of a \$400,000 grant application for the continued rehabilitation of Crossan's Market. Plans have begun for the 2<sup>nd</sup> annual "Call of the Wild" auction, which is a fundraiser for the market rehabilitation.

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### MEETING REPORTS

#### Northwest Colorado Cultural Heritage Program

Clerk Ray's written report was available to the town board and audience for their review.

#### South Routt Economic Development Council

Trustee Lewis reported on the February 9 EDC meeting. They voted to move \$5,000 from checking to a 6 month certificate of deposit. Morgan with the Steamboat Springs Chamber will meet with the EDC at the March 9<sup>th</sup> meeting, (6:15 pm at Flat Tops Ranch Supply in Phippsburg), to discuss website development. Trustee Lewis stated that he had been voted a member at large so he could be a voting member. Membership dues will be reduced to \$50; last year the dues were \$100.

### SCHEDULE WORKSHOPS AND/OR SPECIAL MEETINGS

Clerk Ray noted that the Source Water Protection Plan meeting is scheduled for March 18<sup>th</sup>. It appears that a quorum would be available for March 11 and March 25 so if a workshop or special meeting is needed, Mayor Yackey can call one.

### BOARD MEMBERS AND AUDIENCE REQUESTS FOR AGENDA ITEMS FOR NEXT MEETING

None

### READING OF CORRESPONDENCE AND REQUIRED ACTION IF ANY

#### Samuelson letter

PWA Samuelson was present to answer questions regarding a letter he wrote to the Town Board expressing his dissatisfaction with the wage increase covering the health insurance deductible in 2015 and the fact that there has not been a wage increase since 2009. He believes the budget needs more discussion and that there are changes that can be made in it. Although not addressed in the letter, he also voiced his concern for what he perceives as a lack of leadership and communication by the Public Works Superintendent. The Town Board agreed that they would review the lack of wage increases during the 2016 budget preparation process and do ongoing review of the lack of leadership and communication issues. It was noted that the budget process has been and will continue to be open to input from employees and townspeople.

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Community Outreach Meeting

Noreen Moore had invited the Town Board to the Community Outreach Meeting during audience participation and she further explained what the organizers will be trying to accomplish.

Other

Other correspondence was circulated; none required action.

REVIEW FEBRUARY FINANCIALS, METER READING REPORT, AND INVOICES

The February financials and invoices with completed vouchers and the February meter reading report were circulated for review. There were no questions.

READING AND PAYMENT OF BILLS

Clerk Ray read the bills. M/S/P Trustees Lewis, Drust to pay the bills.

ADJOURNMENT

The Mayor asked for further business, hearing none he called for adjournment. M/S/P Trustees Lewis, Drust to adjourn. The meeting adjourned at 9:08 pm.

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Thomas E. Yackey, Mayor

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Janet L. Ray, Town Clerk

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September 2, 2015