

**TOWN OF YAMPA
TOWN BOARD MINUTES
March 19, 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:

In Person: Janet Ray, Michael Buccino, Joe Edwards, Jeremiah Cummins, Heather Gregg, Aaron Symons, Christine Manzanares, Cindy Ashley and Brian Ashley

Via Zoom: Jake Owsley, Luke Kerr, Bill Ray, Sue Walker, Kristen Crawford, Polly Jessen

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

Joe Edwards made a suggestion following the incident during the fire at the Antlers that the hydrant in question had reportedly been damaged in the past when someone backed into it, causing it to fail when needed for the fire. He proposed installing a protective barrier around the hydrant to prevent similar issues in the future. Mary Alice commented that discussions are currently underway to explore possible solutions in this regard.

3. Consent Agenda

Motion

Trustee Lewis made a motion to approve the Consent Agenda as presented, specifically the approval of the February 19, 2025 Regular Meeting Minutes; the approval of the February 2025 Payment Approval Report; the approval to opt in and authorize the signing for the National Opioid Settlement with Northwest Colorado Opioid Abatement Council; and the approval of Montgomery's General Merchandise Fermented Malt Beverage & Wine Retail Liquor License. Trustee Geanious seconded the motion; the motion passed unanimously.

4. Wastewater Treatment Improvement Project – United States Department of Agriculture (USDA)

Mary Alice reported that the Wastewater Treatment Improvement Project funding through the United States Department of Agriculture (USDA) has been authorized and discussed that the timing requires this to come before the Board for ratification of the acceptance, approval, and signing of USDA Form RD 1940-1, which includes a Request for Obligations of Funds totaling \$5,588,000 and Certification Approval, as well as USDA Form RD 1942-46, Letter of Intent to Meet Conditions. She explained that after 2 ½ years, this project is finally moving forward with USDA funding, and that due to ongoing uncertainties at the federal government funding level, including continuing resolutions and budgetary concerns, the Town had to commit to this grant and loan package by Friday, March 14, at 2:00 p.m. She provided background information, noting that the project has been in the works for the last 18 months, and that the USDA agreement includes a favorable split, with 48% of the funding in the form of a loan and 52% as a grant. She noted that the Town's contribution to the \$5.588 million package is minimal, amounting to only \$220,000, and that loan terms will allow repayment to be spread over forty (40) years. She added that the Town's contribution also considers prior investments made by the Town in the Wastewater project, as well as funds from Energy Impact Assistance Fund and Community Development Block Grant program grants for design, engineering, and preliminary work. She reported that the engineering firm, AquaWorks, anticipates that the project can be put out to bid this summer, with work starting shortly afterward at the discretion of the contraction and there is the possibility that some initial site work could begin in the fall, with the expectation that activity will pause over the winter and resume in spring 2026, with final completion expected by the summer of 2026. Mary Alice mentioned that the USDA timeline extends through December 1, 2026, allowing enough time to complete the project. She noted that the terms of the USDA grant/loan package were more favorable than anticipated during the ballot discussion, where originally the Town expected

approximately a \$2.5 million loan. She stated that the terms include a 2.5% interest rate over 40 years, which is comparable to initial projections.

Trustee Montgomery asked for clarification regarding the status of the plans and specifications, which he believed were already completed. Mary Alice confirmed that the plans are indeed finished, approved by CDPHE and meet USDA conditions which will allow the Town to proceed immediately with bidding the project. Trustee Montgomery also inquired about adjusting dates for the permit and initial bid advertisement milestones. Mary Alice clarified that the timeline will be adjusted to align with the final contractor schedule, ensuring optimal timing. Mary Alice also noted that discussions with engineers are ongoing to ensure the revised timeline is realistic and manageable. She reassured attendees that date modifications are expected and easily approved and are not anticipated to cause any issues, adding that the project remains ahead of the State compliance schedule under the proposed timeline.

Finally, Mary Alice provided an update regarding the collection system part of the project, noting that the contractor, Mocon Pacific, is expected to be completed no later than June 30th.

Motion

Trustee Lewis made a motion to authorize the ratification of the acceptance, approval and signing by the Town Administrator/Clerk of USDA form RD 1940-1, Request for obligations of funds in the amount of \$5,588,000 and the Certification Approval, and USDA Form RD 1942-46, Letter of Intent to meet conditions. Trustee Geanious seconded the motion. The motion passed unanimously.

5. First Public Hearing – Yampa Valley Regional Transportation Authority Intergovernmental Agreement

The first public hearing for the Yampa Valley Regional Transportation Authority (RTA) Intergovernmental Agreement (IGA) began with a presentation by Bill Ray, a consultant for the RTA formation project. Steamboat Springs Councilmember Michael Buccino, a member of the RTA Formation Committee, and Mayor Geilert were in attendance, with Kirsten Crawford from Kaplan Kirsch joining via Zoom to provide legal guidance.

Ray explained the purpose of the meeting and outlined the RTA formation process and the role of the IGA. Ray noted that state law requires two public hearings as part of the RTA formation process. These hearings provide information to local government councils and allow public feedback. The RTA is intended as a new collaborative form of government to address regional transportation issues, with improvements spanning areas such as transit, roadways, trails, and air travel. Governed by a board of elected officials representing each participating jurisdiction, the RTA is subject to Colorado's transparency and open meeting laws.

The IGA serves as the founding document for the RTA, detailing governance, service goals, and operational guidelines. It must be approved by participating councils or boards before being presented to voters in a ballot question, which may also propose funding mechanisms like taxes or bonds. During the second public hearing in Yampa, the council will consider a resolution for tentative approval of the IGA, enabling further review by CDOT and neighboring jurisdictions, as required by state law.

The proposed RTA boundaries include all of Routt County, Steamboat Springs, Yampa, Oak Creek, Hayden, Craig, and a small corridor along US Highway 40 connecting Moffat County. The formation committee, consisting of elected officials from each jurisdiction, meets monthly to review and refine the IGA. Additional support comes from a technical committee of transportation staff, legal advisors, and consultants, with plans to involve a stakeholder committee to gather community feedback.

The IGA establishes a board of directors with one voting representative per jurisdiction and an alternate. It outlines decision-making rules, such as simple majority votes for routine matters, two-thirds majorities for budget decisions, and "unanimous minus one" votes for critical issues like membership withdrawal. The document also defines funding sources, such as sales taxes, service fees, tolls, and grants. Property taxes are excluded, while a visitor lodging tax is allowed but not currently under consideration.

Service goals outlined in the IGA focus on transportation needs identified through collaborative planning efforts. These include increasing bus frequency along Highway 40, adding local routes in Craig, expanding service to

underserved areas like Stagecoach and Yampa, and improving access to Yampa Valley Regional Airport. Additional objectives include enhancing bus stops and connectivity, creating park-and-ride facilities, improving roadway safety, and participating in regional rail planning.

Mayor Geilert opened the public hearing.

Heather Gregg inquired about the representation of voting members on the RTA board, specifically asking whether any two elected officials from each municipality or entity could serve, or if it had to be the mayor, and how those individuals would be selected. Bill Ray responded, noting that if the RTA is approved by voters and subsequently created, the Intergovernmental Agreement (IGA) specifies the establishment of a board of directors. According to the IGA, each jurisdiction, including the county and towns, would have its governing body—such as the Town Council of Yampa or the Board of County Commissioners—select one member to serve on the board. This representative does not need to be the mayor and can be any elected official from the respective council or board. Additionally, an alternate must also be selected from the same governing body, and they would step in if the primary representative is unavailable due to reasons such as vacation or emergencies. However, only one vote is permitted per jurisdiction.

Mary Alice raised the point of equal representation, asking if it is indeed "one vote per jurisdiction." Bill Ray confirmed this, explaining that the formation committee had deliberated on the representation model and ultimately determined that the IGA adopts a "one community, one vote" system. This ensures that each jurisdiction, regardless of its size, has equal representation on the RTA board. For example, Steamboat Springs, the county, and Yampa would each have one vote, maintaining a balanced and equitable structure.

Aaron Symons raised a concern, asking if it was reasonable to believe that the communities along Highway 40, from Steamboat to Craig, could effectively vote as a bloc and potentially override any initiatives or priorities that communities in South Routt might propose. Bill Ray acknowledged that such a scenario was indeed possible, stating that it reflects the political nature of the process. He further explained that the current plans for transportation improvements naturally contain more details for the Highway 40 corridor, as it includes existing services, such as local routes connecting Craig, Steamboat, and the airport. This differs from South Routt, which is currently unserved by these transportation systems.

Ray emphasized that if the RTA were established and funded, building services in areas like South Routt would require significant planning and resources, including the purchase of buses, hiring of drivers, and development of maintenance facilities. He noted that transportation experts would eventually need to determine the frequency, stops, and type of vehicles required. While financial estimates for South Routt are being developed by the Fehr & Peers firm, greater detail regarding service design would only come later in the process or after the RTA is established. The focus on Highway 40 is a reflection of the existing services in that area, which are already operating at capacity and require expansion to meet current needs.

Mr. Symons expressed frustration, pointing out that earlier planning documents—comprising over 100 pages—dedicated only a few sentences to South Routt. He noted the lack of detailed planning for the area, yet residents would be asked to vote on a potential tax increase to fund the RTA. Ray acknowledged this feedback as valid and committed to sharing it with the formation committee and transportation planning team. He stressed the importance of local representatives advocating for the needs of their communities within the formation committee.

Mr. Symons also remarked on a prior instance where Councilmember Michael Buccino was expected to attend a meeting to provide information but failed to show. Mayor Geilert added that concerns about South Routt's inclusion had been raised previously but seemed to be sidelined. She noted that this contributed to hesitation about the RTA, as South Routt residents felt like an afterthought in the planning process.

In response, Bill Ray reiterated that the purpose of these public hearings is to gather feedback and incorporate it into the planning process. He highlighted that state law requires these hearings as part of forming an RTA, allowing stakeholders like himself and legal advisors to bring community feedback back to the formation committee. Regarding

funding, Ray mentioned that the estimated cost to implement the eight service goals is currently around \$9 to \$10 million annually. A potential sales tax, ranging from 0.5% to 1%, is being discussed as a funding mechanism, with a 1% sales tax projected to generate approximately \$12 million annually. However, no final decision on the tax rate has been made at this time.

Christine Manzanares inquired about how other RTAs, such as those in Grand County and the Vail Valley, are funded. She expressed concern that ski resorts are likely to benefit the most from the transportation services, as their employees heavily rely on them. Drawing on her experience as a former commuter from South Routt, Ms. Manzanares noted that the bus service from Craig to Steamboat in 2016 was inadequate and questioned the level of financial contribution ski resorts make in other counties to support RTAs.

Bill Ray responded by referencing the Eagle Valley Transportation Authority, the most recently formed RTA in Colorado, created two years ago. He explained that Eagle Valley funds its RTA through a half-penny sales tax collected within the Eagle Valley portion of the county. He also mentioned the Roaring Fork Transportation Authority (RFTA), which operates from Garfield County to Aspen and is funded through a mix of sources, including pledged sales taxes from individual municipalities, a mill levy property tax applied uniformly across the RFTA boundary, and financial contributions from Aspen Ski Corp. for the circulator bus connecting their resorts. In contrast, the Eagle Valley RTA does not receive direct contributions from ski resorts, as they chose to solely rely on sales tax revenue.

Ms. Manzanares expressed disappointment with this approach, arguing that since ski resorts stand to benefit significantly, it is poor planning not to involve them directly in funding. She shared her perspective as a long-time commuter from South Routt. Bill acknowledged that Eagle Valley made a deliberate decision not to request funding from resorts, but noted that in the Yampa Valley RTA discussions, Steamboat Resort Company has publicly committed to being a financial contributor. While the exact contribution amount has yet to be finalized, they have pledged to be an annual funder of the RTA.

Mr. Symons asked if Steamboat Resort Company's contribution would be contractually guaranteed. Bill confirmed that it likely would be and invited Kristen Crawford to elaborate. Kristen explained that incorporating such commitments into the Intergovernmental Agreement (IGA) has been discussed and contemplated. She clarified that the process should be viewed in two phases: the formation phase, during which towns like Yampa and others have flexibility in shaping the IGA terms and deciding what to refer to voters; and the second phase, which involves establishing the RTA as a separate political entity run by the board of directors. Kristen emphasized that the contractual obligations of resorts or other contributors would need to be formalized during this process. She assured attendees that this feedback was valuable and would be taken into account.

Trustee Montgomery inquired whether there is a cap on the amount a municipality can charge in sales taxes. Kristen explained that while there is undoubtedly a threshold to consider, the RTA statute does impose certain limitations on the various funding sources outlined within it. She also noted that changes to the sales tax are expected to take effect in July. Bill Ray further clarified the question, specifying whether state law sets a cap on the total or blended sales tax rate or on municipal sales taxes. He added that, to the best of his knowledge, there is no such cap in state law.

Trustee Kindsvater noted the larger audience turnout and expressed appreciation for the increased participation. Reflecting on past efforts, she shared concerns about the success of rideshare programs and similar initiatives, observing that they often start strong but ultimately fail due to low usage or scheduling that does not meet community needs. She emphasized her reluctance to see the town become contractually tied to a program that might fizzle out and fail to benefit local residents.

Cindy Ashley agreed with Trustee Kindsvater's assessment, highlighting past examples where bus systems ran to the area but were poorly designed to meet the needs of the community. She explained that these systems often seem tailored to the operators rather than the residents, offering limited schedules—such as a single bus in the morning and one at night—which fail to align with the daily needs of those in the community. Ms. Ashley acknowledged that better

transportation could reduce travel back and forth into town, but stressed that any system must be designed to truly serve the people who would rely on it.

Mr. Symons pointed out the challenges mass transit has faced nationwide, including in densely populated areas with higher ridership. He questioned the feasibility of success in sparsely populated regions like Yampa Valley and expressed concern about future financial strain, speculating that the town might need to request another sales tax increase within five years to keep the program viable. Ms. Ashley added that some RTAs, such as the one in the Roaring Fork Valley, have developed highly successful and accessible transit systems, noting her positive experience with it. She acknowledged that transit systems can work well if thoughtfully planned.

Trustee Kindsvater remarked that the proposed system seemed most beneficial to Steamboat Springs, while Mr. Symons highlighted that the suggested routes from the planning documents appeared to prioritize convenience for Steamboat's ski mountain operations. Mr. Symons pointed out how the routes and schedules catered to getting people to the ski mountain when it opened and back home after it closed, including additional service during winter Saturdays. He argued that this focus seemed to align with Steamboat's financial contribution but did little to address practical transportation needs for residents in surrounding areas—such as getting someone to a medical appointment and back in a reasonable timeframe. He also criticized the estimated \$600,000 annual cost for operating a morning and evening bus route as excessive for limited service.

Trustee Montgomery asked whether Steamboat uses electric buses. Councilman Buccino explained that Steamboat utilizes hybrid models, as fully electric buses do not perform well during the winter months.

Councilman Buccino elaborated on his experience, recounting how he reviewed transportation reports for Steamboat dating back to 1986. Reflecting on the history of transportation issues in Routt County, he expressed concerns about the feasibility of the RTA unless there is a guaranteed, consistent bus route with dependable headways. Buccino emphasized that a fixed schedule—for instance, buses running every 30 minutes or every hour—is essential for the RTA's success. He noted that while bus services might initially operate with low ridership, establishing consistent routes would demonstrate reliability and allow the community to adjust over time. Buccino suggested that this kind of dependable service could attract families to move to towns like Yampa, as they would feel secure knowing transportation options are consistently available.

Joe Edwards asked whether there would be a way out for the town if the RTA turned out to be unsuccessful after two or three years. Buccino confirmed that the Intergovernmental Agreement (IGA) includes an opt-out clause, which requires a supermajority vote—defined as "unanimous minus one." Bill Ray reiterated that the IGA provides a clear process for withdrawal if a community no longer wishes to be part of the RTA.

Bill Ray shared some of the working plans currently being developed with the transportation planning firm. For South Routt County, the proposed service would involve year-round fixed routes, offering buses every 45 minutes throughout the day during weekdays and weekend service during winter and summer seasons. However, these plans are still in the preliminary stages and subject to adjustments based on community feedback. He encouraged residents to provide input to help refine the service schedule, noting that transportation studies will be conducted to identify peak times and further tailor the service to community needs.

Bill Ray explained that operating a bus service at a 45-minute frequency during weekdays, along with seasonal weekend service, would cost approximately \$550,000 to \$600,000 annually, excluding the cost of purchasing equipment. He emphasized that RTA services would be funded collectively by all RTA members and their taxpayers, ensuring equitable distribution of benefits across communities. Ray noted that the RTA structure is designed to support all member communities rather than limiting services to what individual towns contribute financially. He encouraged ongoing feedback to ensure the proposed system aligns with the needs of all members.

Mr. Symons inquired whether the transportation services would be free, similar to what Steamboat offers, or if there would be a per-trip or monthly charge. Bill responded, noting that it was an excellent question. He explained that the

current US 40 regional service operates with a fare system, and the formation committee is currently discussing maintaining fares for both existing and new services. Having fares, Bill clarified, generates additional funds to support operations and potentially allows for expanded services or improvements. At this stage, the formation committee is leaning toward continuing a fare-based system for the RTA services.

There were no additional comments from the public. Mayor Geilert closed the public hearing.

6. Work Session with Planning Commission – Yampa Land Development Code, Phase II

A work session was held with the Yampa Planning Commission and the consulting team from Community Planning Strategies to discuss Phase II of the Yampa Land Development Code.

7. Staff and Board Member Reports/Updates

Sheila provided an update on HB21-1110 regarding ADA Accessibility Standards for the town's website. She informed the board of an upcoming public hearing hosted by the Governor's Office of Information Technology to discuss updated requirements. Sheila noted that reviewing the current Board Packet took over five hours to get through just four pages, emphasizing that this will be a time-intensive and challenging task.

Sheila also shared that the Yampa 4th of July Committee made a profit of \$892 at the Salsa Contest. The Committee is planning a community spaghetti dinner on May 15, which will include a dessert contest. Community members are encouraged to bring desserts, with the dinner priced at \$10 per person or \$25 per family of four. Tom Yackey will place the order for the fireworks early to take advantage of discounts, but donations are still needed to cover the costs. Additional volunteers are also needed for the 4th of July committee and its related activities.

Sheila mentioned that mandatory CIRSA classes for all town board members and staff are expected to begin in June or July. The town CIRSA auditor will provide further information during their visit in July, at which point Sheila will guide everyone through the process.

Work on updating the county's Hazard Mitigation Plan is underway. Sheila invited any board members interested in participating to reach out and get involved.

She reminded attendees of the "Coffee with the Mayor" session scheduled for Saturday from 10:00 a.m. to 12:00 p.m. She noted that snow removal at Town Hall has been completed, specifically clearing the roof. Regarding road conditions, Sheila asked for patience as the town continues grading efforts with one grader and one employee, dependent on weather conditions. Potholes will be addressed as soon as the weather allows repairs to be performed effectively.

She informed the group that RCEDP office hours are held on the third Wednesday of every month from 1:00 p.m. to 4:00 p.m.

Sheila shared an update from CAP—Playing Collaborative—regarding the announcement of their first round of applications for the Collaborating Fund, which is available to 501(c)(3) organizations.

She advised that Commissioner Redmond will attend the April 16 meeting to provide an update and address questions about the NWDC. Additionally, County Commissioners will be present at a future meeting to discuss county updates and foster collaboration. Sheila encouraged board members and the public to prepare any questions they would like addressed.

Trustee Montgomery inquired about the status of the audit. Mary Alice explained that she is actively working on it, reviewing every individual entry for verification. She mentioned that over the past two weeks, her focus has been on reconciling numbers from spreadsheets provided by the auditor. However, she acknowledged that no audit has been produced yet that is worthy of being finalized. Trustee Montgomery expressed concern, pointing out that the audit was supposed to be completed in December. Mary Alice agreed, acknowledging that this had been the original timeline.

Mayor Geilert interjected, explaining that the delay was partially due to the initial auditor sustaining an injury, which resulted in the project being passed to another individual. She further noted that there appeared to be communication breakdowns between auditors. Addressing Trustee Montgomery, Mayor Geilert expressed concern over his direct contact with the auditor via email, which she felt was “morally and ethically wrong” for a trustee. She pointed out that in his emails, he himself even questioned whether it was appropriate to communicate directly with the Auditor, and the auditor should have stopped engaging with him at that point.

Trustee Montgomery defended his actions, explaining that his interest stemmed from the lack of updates and transparency regarding the audit. He stated that when he asked about the audit, he only received vague responses, indicating it was “in process.” Mayor Geilert countered, asserting that there was no deliberate withholding of information and that she herself was unaware of specific details because it was still being worked on. Trustee Montgomery argued that someone must have known the status of the audit if it was in process. Mayor Geilert clarified that the audit has been in process.

Mary Alice elaborated on the ongoing process, explaining that discrepancies in the numbers provided from the auditor required thorough verification. Additionally, she mentioned that the auditor had inappropriately reached out to our previous auditor, Chris Catterson, without the Town’s permission, raising some ethics concerns. Mary Alice emphasized that the preliminary audit received in January was riddled with errors and inconsistencies, describing it as poorly executed, and this has necessitated a meticulous review of all data and numbers, further delaying the process. She hoped that the verification and required corrections would likely be completed by mid-April.

Mayor Geilert addressed Trustee Montgomery directly, expressing frustration over what she viewed as an overstep of his role as a trustee. She criticized him for keeping his communication with the auditor privately and accused him of potentially violating the Open Records Act. She emphasized that he should have approached the Treasurer directly with his concerns, rather than going behind the Board’s back. The Mayor further stressed the importance of transparency, pointing out the inconsistency in Trustee Montgomery’s behavior given his frequent advocacy for openness.

Trustee Montgomery reiterated his desire for more detailed updates on the audit process. Mary Alice responded by stating that there was no additional information to share until the current review and verification process was complete. She rejected the notion that anything was being hidden, explaining that it is standard procedure to review an audit, return it for corrections, and then receive a finalized version in a timely manner. However, due to errors in this case, the process has taken longer than expected.

Mayor Geilert urged all trustees to avoid blindsiding one another in the future. She emphasized the importance of direct communication with staff for any questions and encouraged raising concerns during board meetings. She noted that blindsiding others often results in unprepared responses, leading to frustration. Additionally, she cautioned Trustee Montgomery that his email communications with the auditor opened his personal computer and associated business operations to Colorado Open Records Act requests, reminding him of the importance of being mindful in all future correspondence.

8. Scheduled Meeting/Work Sessions


- a. Town Board and other requests for Agenda Items
 - i. April 2, 2025 @ 6:30 p.m. – Town Board Regular Meeting
 - ii. April 16, 2025 @ 6:00 p.m. – Town Board Regular Meeting

9. Adjournment

Motion

Trustee Lewis made a motion for adjournment. Trustee Geanious seconded the motion, and the motion passed unanimously. The meeting was adjourned at 8:47 pm.

Approved the 16th day of April, 2025.


Stacey Geilert, Mayor

Attest:


Sheila Symons, Town Administrator/Clerk