

Town of Yampa minutes  
April 1, 2015

TOWN OF YAMPA  
APRIL 1, 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: Margaret Chipman, Ben Grush, Dana Kerns, Ken  
Manzanares, Ken Montgomery, Randy Sackett, and  
Mike Sidinger

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

None

AUDIENCE PARTICIPATION – SCHEDULED ITEMS

Month of the Young Child presentation

Stephanie Martin with First Impressions was unable to attend the meeting so Mike Sidinger gave the presentation on her behalf. April is the Month of the Young Child and Ms. Martin wanted everyone to know that the South Routt Early Learning Center will be opening the second classroom at the center to provide all day, year round childcare, working within the South Routt school district. There will be 15 full time slots or a number of part-time slots

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for children at the facility. First Impressions continues to recruit for childcare providers in South Routt to partner with the childcare network as there continues to be a need for high quality all day daycare and preschool programming. On April 30, the Month of the Young Child will be celebrated with a children's parade down Lincoln Avenue in Steamboat Springs from 10 to 11 am.

#### Consideration of Proclamation

Mr. Sidinger read the proclamation. M/S/P Trustees Lewis, Drust to adopt a proclamation recognizing April 2015 as Month of the Young Child in Yampa, Colorado.

#### Child Abuse Prevention Month presentation

Mike Sidinger with Routt County Department of Human Services gave a brief history of the beginnings of the child abuse awareness and prevention efforts and the blue ribbon campaign and told the Town Board and audience about legislation that passed in 2013 regarding establishment of a Colorado hotline to report possible child abuse and neglect. There is a Routt County number – 970-367-4056 and a state number – 1-844-264-5437.

#### Consideration of Proclamation

Mr. Sidinger read the proclamation. M/S/P Trustees Lewis, Ashley to adopt a proclamation recognizing April 2015 as child abuse prevention month in Yampa, Colorado.

#### Introduction of Ben Grush – Routt County Building Official

Routt County Building Official, Ben Grush, stated that Routt County is currently operating under the 2009 building code. He explained that it would be better to be operating under the 2015 code because the training that is available to inspectors uses the 2015 code and that is also what the testing certification is for. He is evaluating the changes from the 2009 to 2015 code and how that will effect the towns. He said that he hopes to have the review fairly close to completion by the September Oversight Committee meeting. He also explained the discussion that had taken place regarding a surcharge for inspections in the remote areas of the county and told the town board that from April 1, 2015 to April 2016, the building department will be tracking and studying the issue and will have a report at that time.

#### OLD BUSINESS

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

Engineer Sackett reported that the bids were opened as planned on March 6<sup>th</sup>. At that time, the engineers' estimate of costs was approximately \$300,000 over the budget that we had

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been working with. The Town received two bids and those 2 bids were approximately one million dollars apart. The low bidder, Duckels Construction, was approximately \$300,000 over the engineers' estimate of costs, so in total, the project is approximately \$600,000 short. The other company that bid was Velocity, a company on the front range. After the bid opening, a meeting was held with Duckels to compare their bid and the engineers' estimate to determine if there were errors or misunderstandings in some of the bid items. It was determined that that was not the case. Then Civil Design Consultants (CDC) and Duckels began looking at what could be taken out of the scope of work, but it was determined that not much could be taken out that would make a large difference in the funds needed. Subsequently, a teleconference was held with Greg Winkler of Department of Local Affairs (DOLA) and Louanna Cruz of Colorado Department of Public Health and Environment (CDPHE) – State Revolving Fund (SRF) regarding the shortfall and what supplemental funding opportunities there might be for the project. Mr. Sackett presented a revised project budget, which showed a combination of supplemental funding and project deductions. It was determined that if the combined additional costs of the water treatment facility and water storage tank were joined with the costs of the proposed access road, the total was \$950,000. It is noted that the \$950,000 small communities grant for the pretreatment facility could be the funding match. The Town will need to send a formal letter to DOLA requesting the supplemental funding, which will require Mayor Yackey's signature. Clerk Ray said she would get the letter done as soon as possible. Mr. Sackett noted that the town could award the bids for the water treatment facility (WTF) improvements and the water storage tank (WST) separately, if necessary, so as not to slow down the WTF improvements, which need to be completed by December of 2015 to get out from under the enforcement order. The bids are good for 90 days. In the special provisions of the project manual the schedule anticipated Notice of Award by May 1 for the WTF and May 28 for the WST. Notice To Proceed was anticipated to be June 1 for the WTF and June 28 for the WST. There is time to meet those schedules depending on when the funding can be secured. In the meantime, work continues on the Routt County permitting process and the property acquisition for the WST. Mr. Sackett recommended that PWS Berry begin coordinating with Yampa Valley Electric Association (YVEA) for new service that will be needed at the WTF. The cost for that service was estimated at \$12,000, which would be town funds and not part of the grants or loan. Mr. Sackett told the Town Board that the present agreement that is in place between CDC and the Town does cover CDC's work through the construction phase for bid administration, but that CDC needs to provide a specific scope of work and fee estimate detail for the work they are doing. They have started billing for the work. Similar circumstances exist for the pre-treatment final design and alternate access road final design as well. Clerk Ray told the Town Board that while DOLA is looking at the supplemental funding request, they are also looking at the town's monthly water charges. Clerk Ray stated that she does not believe the economy has recovered enough in Yampa to accommodate a rate increase at this time, but that it may become a necessity. Clerk Ray has been told that Yampa's rates are below the state average. There was nothing new to report on the WTF correction deed documents nor the temporary access road agreement that Bob Weiss is working on. Clerk Ray reported that she had reviewed the infiltration gallery documents and

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had let Bob Weiss and Troy Brookshire know that she had some questions and some corrections, but she has not heard back from Mr. Weiss to go over those materials. There is an Interim Ranger at the Yampa Ranger District, Jason McInteer. Keesha Cary has transferred to Meeker so the Third Street property acquisition will be back with Janet Faller to complete. She works in the Forest Service office in Steamboat Springs. Mr. Snyder will contact his bank regarding the lien release of the water storage tank property.

#### Wastewater system improvements update

Mr. Sackett reported that Greg Winkler at DOLA had spoken with him regarding information on the wastewater treatment plant violation and Mr. Sackett said he thought that Mr. Winkler wanted to use that information as part of his presentation regarding the supplemental funding for the water treatment facility. Mr. Sackett said that CDC is doing what they can on the Preliminary Engineering Report (PER) with the funding that is in place. He reminded the Town Board that the Town was not successful in obtaining the small communities grant funding so we are continuing to look at funding options for both the PER and design. There is a workshop on May 14<sup>th</sup> in Steamboat Springs that may answer some of the funding questions. CDC is coordinating with Eric regarding sampling and testing that will be done next week, noting that this time of year is when it is difficult to meet ammonia standards. CDC is working with sub consultant Terry McEnany with Stantec on an "as needed" basis.

#### Consideration of next steps – Royal Hotel fire clean up

Clerk Ray reminded the Town Board that the Town sent Mr. Ager a letter following their March meeting that requested Mr. Ager inform the Town Board of his property clean up timeline. They requested that response by March 12. She noted that Mr. Ager did phone her on March 12, but she did not feel that he gave her any information that could assist in moving ahead with the clean up. The Town received a letter from the Routt County Regional Building Department's Building Official, Ben Grush, wherein he stated that he believed the site to be a danger to the health, safety and welfare of the residents and visitors to Yampa and he asked for direction from the Town Board on how they wanted him to proceed, noting that under Section 116.1 of the International Building Code, he could order the property owner to abate the site or otherwise render it safe. Further information was received from Mr. Grush in a March 26, 2015, letter clarifying that if Mr. Ager did not comply with the letter requesting abatement of the site, the Town's attorney would need to prosecute the case in the appropriate court. The letter also stated that as soon as the site had cooled down, it should have been covered to limit the dispersion of asbestos into the air (if there was asbestos in the building) and it should have been barricaded, preferably with a six foot chain line fence. Also the site should have been tested for asbestos. The letter went on to say that until the asbestos test results were received, the cleanup should be put on hold. If the site tested positive for friable asbestos, a licensed, insured and experienced asbestos abatement contractor should be hired and the material disposed of at a landfill that accepts asbestos containing debris. Clerk Ray told the Board that she had heard that some people were

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concerned that the property would not be cleaned up by the July 4 celebration. The question was asked if there had been complaints received with the clean up that had occurred thus far and Clerk Ray said none that had come to her as Town Clerk. Discussion included options – one being to see if clean up continues, another being further regulatory communication. It was said that if clean up is happening, that was more effective than further correspondence. It was stated that there was remodeling done when the Royal Egeria Players owned the building and those records might contain a report as to whether asbestos was found in the building at that time. Mr. Grush offered to look through old building department records, if a time frame could be established. Clerk Ray said she would get the dates to Mr. Grush. Following all discussion, Trustee Lewis moved to monitor the situation for continued clean up and if all activity ceases, or if more is learned about the site that will assist with the process, then at that time, it would be determined what action would need to be taken next. Trustee Drust seconded the motion and the motion passed on voice vote.

#### NEW BUSINESS

##### Consideration of approval of Montgomery's General Store 3.2% beer retail license (off premises) liquor license renewal

Since the last renewal, Ken L. Montgomery, DBA Montgomery's General Merchandise, had one violation of the license. Mr. Montgomery provided a full explanation of the violation which was included with the renewal application. All other paperwork for the renewal was in order and the fees accompanied the application. M/S/P Trustees Lewis, Drust to approve Ken L. Montgomery DBA Montgomery's General Merchandise's 3.2% beer retail license (off premises) liquor license renewal. The motion passed on the following roll call vote: Yackey – yes, Ashley – yes, Drust – yes, Estes – yes and Lewis – yes.

##### Consideration of no parking signage on the west side of Lincoln along the east side of Yampa Bible Church

Mayor Yackey explained the reasoning for the proposed no parking regulations. The Yampa Bible Church encroaches into the street right of way. Previously, vehicles and dumpsters on the east side of the street next to the Royal Hotel often encroached as well, which made the traveled portion of the street narrow and sometimes dangerous, especially in winter. No parking on the west side of the street was discussed prior to the Royal Hotel fire and it is considered prudent to move forward with the no parking regulations before the property is rebuilt. Clerk Ray noted that she had put the proposed no parking idea in the newsletter. Feedback received was from Bill and Cathy Voorhees who noted that they liked the idea. The sign costs are approximately \$30.00. M/S/P Trustees Lewis, Drust to approve erecting no parking signs on the west side of Lincoln Street from Moffat Avenue north past the Yampa Bible Church.

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Consideration of acquisition of Town's north entrance sign property

Clerk Ray reported that several years ago the Town Board wanted to pursue purchasing the triangle (pie) shaped parcel of property where the Town's north entrance sign is located. Part of the sign is in street right of way and part of it is on Evelyn Kennedy's property. When the Friends of Gateway Yampa committee beautification group wanted to place a wagon and flowers at that location and was told that the Town did not own the property, Donna Corrigan arranged with Evelyn Kennedy to place the wagon and flowers there and Mrs. Kennedy is willing to donate the property to the town. The Town will need to pay the costs involved in acquiring the property. Those costs should be minimal. Surveyor Tom Effinger has prepared a survey and title work was done for a potential sale of the Kennedy property a few months ago. Clerk Ray said she conferred with Conservation Trust Fund (CTF) personnel that the area could be designated a pocket park and therefore, CTF dollars could be used for the acquisition. Following Clerk Ray's report, Trustee Lewis moved to acquire the triangle shaped piece of property where the Town's north entrance sign is located. Trustee Drust seconded the motion and the motion passed on voice vote.

Consideration of flower barrels/other improvements North entrance sign/other places

Margaret Chipman was present to explain the proposed flower barrels project and other improvements planned for town by the beautification committee of the Friends of Gateway Yampa group. They have about 15 volunteers ready to initiate the program and to maintain it throughout the summer. With donations, they have purchased 24 barrels so far and hope to have up to 30 barrels around town. This will not take the place of the town flower barrel program, but will enhance it. They are asking permission to place barrels on town properties, some of which will be rights of way, but will not interfere with the traveled portions of the properties. The group wants to do additional work at the north entrance sign property which will make that town entrance area even more appealing. Cindy Wren who already does the barrels there will be assisting with the additions. Another area that they want to work on is the Corrigan property (next to Jill Andrews' property) on Moffat. Ms. Corrigan has obtained an old mining cart, which they are using and have landscaped the area to make it an appealing visual as well. This area will continue the pleasing visual people get from the River Park. Ms. Chipman noted that the group is working with Jay Whaley and the ag department at the high school to obtain flowers that have been grown at this elevation, which will help with the survival rate. Following Ms. Chipman's presentation, Trustee Lewis moved to approve the projects, Trustee Drust seconded the motion and the motion passed on voice vote.

Consideration of Moffat Avenue street light improvements/other

Dana Kerns and Ken Manzanares were present to request permission to paint and clean up the street lights. Ms. Kerns explained that she has spoken with Alpine Lumber and they have the supplies that are needed. The rust will need removed before new paint is put on. The

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poles are approximately 24 feet in height and there are 11 poles. PWS Berry said he thought they would need to use scaffolding to work on the poles. It was noted that the town owns the poles. Dick Rudeen made the flag pole brackets. The question was asked if flower baskets could be hung on the flag brackets, the answer being no, other brackets that would be less wide and hung lower would need to be added. The Town Board was not opposed to the possibility. Pole colors were discussed; the poles are dark green and the brackets are black. For historical purposes, it was decided to leave the poles dark green. Ms. Kerns said they were thinking that the concrete bottoms could be painted dark brown. Ms. Kerns said they had some donations for the paint. Insurance for the volunteers was discussed; Clerk Ray said she would need to check with the town's insurance company to verify coverage. She will also check with the Conservation Trust Fund (CTF) administrator to determine if CTF funds could be used. Clerk Ray said she knew CTF funds could be used for the street light in the park, but she did not think so for the lights on Moffat. Following discussion, Trustee Lewis moved to approve the street light painting project and to use CTF funds if possible. Trustee Drust seconded the motion and the motion passed on voice vote.

#### Consideration of El Pomar grant application for continued Crossan's M & A Market rehabilitation

Clerk Ray explained that Friends of Crossan's (FOC) is still approximately \$120,000 to \$150,000 short of having the funds to finish the Crossan rehabilitation. FOC is working with the private foundations such as El Pomar to round out the funding. The El Pomar grant request is \$50,000. Mayor Yackey stated that he is impressed with the continuing efforts FOC is making to complete the rehabilitation. M/S/P Trustees Lewis, Ashley to submit the \$50,000 El Pomar grant application.

#### Schedule Rabies Vaccination Clinic

Clerk Ray reported that the rabies vaccination clinic will be held Saturday, April 18, 11:00 am to 2:00 pm. Clerk Ray noted that Deputy Clerk Phillips may not be able to help with the clinic so if a town board member is available, he might consider assisting. Clerk Ray will confirm prior to the clinic if someone is needed.

#### PUBLIC WORKS DEPARTMENT

##### Water testing results

The water testing results were in the town board and audience packets. There were no questions. PWS Berry said that in regards to the 2015 synthetic organic compound testing results, since the results were below detectable limits, he thought he had to test one more quarter and then could go back to the regular testing schedule of once every three years.

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QQ meeting report

PWS Berry's report was in the town board and audience packets. There were no questions.

Upper Yampa Watershed Group

PWS Berry reported that he attended this meeting on March 18. There was discussion regarding nutrients in the Yampa River. They reviewed the data, which showed nothing of real concern. They said there was more concern with the temperature of the river through Steamboat Springs than anything else. They worked further on the mission statement. During the update of potential projects, PWS Berry told the group about the Town of Yampa beginning work on their Source Water Protection Plan.

Resource Systems Planning Workshop

PWS Berry reported that he attended this meeting on March 27. Across the state, emergency management is being evaluated due to previous wild land fire situations, followed by the flood situations that were experienced. Discussion centered on what plans are in place and what IGAs or MOUs are in place between municipalities, counties, the state and federal government for emergency management. It was determined that Yampa needs to first look at what is in place and build from there if not adequate.

Ongoing work

PWS Berry reported that he had spent most of his time on paperwork and PWA Samuelson has been grading streets.

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

Clerk Ray reported that Deputy Clerk Phillips hurt her back the evening of March 13 and has been out with that injury since that date. Ms. Phillips is doing what paperwork she can from home. There is no estimated return to work schedule at this time. Clerk Ray reported that she received a call from Centennial Bank and following that conversation, she said that the certificate of deposit rate quoted at the last meeting as 0.5000 was not correct, that it was 0.3000. Ms. Phillips will call to discuss this with the person she spoke with at the bank and Clerk Ray will report in May what the outcome of the call is. We are still looking for file cabinets. The Conservation Trust Fund report was completed and submitted and notification was received March 26 that it was accepted. A new law recently took effect with worker's



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compensation and the Town received word from Pinnacol that the Town needed to list four providers. The providers chosen were South Routt Medical Center, Steamboat Medical Group, Yampa Valley Medical Associates and Steamboat Springs Family Medicine. The Special Use Permit for the fireworks and the Christmas star is due for renewal. John Anarella with the Forest Service is assisting with the permit.

#### REPORTS OF COMMITTEES

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

Committee Chair Drust reported that the Town was awarded a \$400,000 energy impact assistance grant from the Department of Local Affairs. The match for that grant is a \$200,000 grant from State Historic Fund, which Historic Routt County is working on.

##### 4<sup>th</sup> of July Committee

President Tom Yackey reported that the first committee meeting was held March 31 and it appears that preparations are on track. The theme will be “Unforgettable Memories of Yampa” with emphasis on honoring the Royal Hotel.

#### MEETING REPORTS

##### South Routt Economic Development Council

Trustee Mike Lewis reported on the March 9 meeting. Noreen Moore had attended to talk about the Community Outreach meeting scheduled for March 12 in Yampa. Morgan McDougald with the Steamboat Chamber attended to discuss website management. Soroco Superintendent, Darci Mohr, discussed methods to improve the schools. The next meeting is scheduled for April 6.

##### Community Outreach meeting

Mayor Yackey and Trustee Ashley were in attendance. Mayor Yackey reported that he was impressed with the turn out. Trustee Ashley agreed and said he was also impressed with the enthusiasm that the meeting generated. There were around 70 people in attendance. The community's strengths, weaknesses and opportunities were listed. People were asked if they wanted to commit to a project and some did, for example the flower barrels and light pole refurbishing. Other projects may come forth as time goes by.

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SCHEDULE WORKSHOPS AND/OR SPECIAL MEETINGS

Clerk Ray noted that the Source Water Protection Plan meeting is scheduled for April 29. It appears that a quorum would be available for April 8, 15 and 22, so if a workshop or special meeting is needed, Mayor Yackey will call one.

BOARD MEMBERS AND AUDIENCE REQUESTS FOR AGENDA ITEMS FOR NEXT MEETING

None

READING OF CORRESPONDENCE AND REQUIRED ACTION IF ANY

Notification was received that Senate Bill 15-255, if passed, will divert \$10 million of local severance tax revenue to the state's general fund to finance Tabor refunds. \$3 million of this is in Direct Distributions where it has been calculated that Yampa will lose \$3,664. This will also affect the grant program that has financed the water projects and Crossan's. The Routt County Commissioners are urging the town board to send a letter protesting this transfer. M/S/P Trustees Lewis, Drust to send a letter opposing passage of SB-15-255.

Other correspondence was circulated; none required action.

REVIEW MARCH FINANCIALS, METER READING REPORT, AND INVOICES

The March financials, meter reading report and March invoices were not available for review due to Deputy Clerk's injury. They should be available for the May meeting.

READING AND PAYMENT OF BILLS

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

ADJOURNMENT

The Mayor asked for further business, hearing none he called for adjournment. M/S/P Trustees Lewis, Ashley to adjourn. The meeting adjourned at 10:32 pm.

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Thomas E. Yackey, Mayor

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Janet L. Ray, Town Clerk  
October 7, 2015