

TOWN OF YAMPA SPECIAL MEETING
MAY 27, 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: Randy Sackett

CALL TO ORDER

Mayor Yackey called the special meeting to order at 7:02 pm.

ROLL CALL

Board roll call was taken.

UPDATE ON STATUS OF WATER PROJECT

Engineer Randy Sackett reported on the meeting that was held in Frisco with Colorado Department of Public Health and Environment (CDPHE), Department of Local Affairs (DOLA), Civil Design Consultants (CDC) and Town of Yampa representatives. The meeting was held to explain to all agencies the status of the water project and why the additional funding was necessary to keep the project moving forward. Subsequently, the supplemental funding of \$950,000 was granted from DOLA. The bidders on the project are obligated to hold the bids for 90 days from the opening date (March 6), so the Town has until Thursday, June 4 to award the bids. CDC met with Duckels Construction representatives, the low bidder for the project, to bring them up to date on the supplemental funding and to determine their willingness to negotiate, if necessary, on the schedule for completion of the project. While waiting on the supplemental funding, work has continued with Routt County, for their review and approval of various aspects of the project.

Mr. Sackett reported on the May 26th meeting attended by Derrick Duckels and Diane Dwire for Duckels, Randy Sackett and Mary Andre for CDC and Janet Ray for Town of Yampa to discuss the various scheduling aspects of the Water Treatment Facility (WTF) and Water Storage Tank (WST) and to come to agreement on a proposed schedule for recommendation

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to the Town Board in its consideration of Notices of Award for Bid Schedules A and B. Mr. Sackett introduced a calendar for May, June and July, that showed the various aspects of the project and who is working on what. The calendar was used in the meeting with Mr. Duckels and Ms. Dwire as well and they showed a desire to still do the project and there was a sense of cooperation regarding the project schedule. Mr. Duckels indicated that during this 90 day period, in which the bid prices are shown, he has not locked in pricing with his suppliers because of the uncertainty of the funding coming through so they indicated that there could be price increases. They were told that the Town would try to work with them, but that the money awarded for the project is all there is so the pricing in the bid is critical to the project.

Regarding the Environmental Assessment (EA), which is a requirement of CDPHE because of the state revolving fund monies, there were concerns from U.S. Fish and Wildlife because of possible depletions of the river. Kelly Colfer, Western Bionomics, LLC, who did the Biological Assessment was able to alleviate their concerns. The EA was ultimately accepted. The Findings of No Significant Impact (FONSI) was published in the Steamboat Pilot May 31st. There is a 30 day comment period and the Town can not issue the Notice to Proceed until after that 30-day period, which is June 30th

The easement agreement for the WTF has been submitted to Barbara Palmer for review, but has not been executed at this time.. Ms. Palmer has requested that the access road to the WTF be relocated, but has given verbal permission to use the existing access for the construction work needed at the WTF. The water storage tank property purchase contract is in place, but the closing will not be until the end of June at the earliest. Routt County approval of the subdivision of land for public purposes and the special use permit must first be approved.

Routt County Planning approved the Conditional Use Permit (CUP) for the waterbody setback permit yesterday, May 26th. It was an administrative decision; the paperwork still needs executed. The Board of Adjustment hearing for the WTF site variance is scheduled for July 13th and the Routt County Planning Commission Hearing on the tank site special use permit is June 18th, with the Routt County Board of County Commissioners to consider the request on July 14. Routt County building permit applications for the WTF are also in the works. The Town might discuss a possible waiver of some fees with Building Official, Ben Grush.

The Town Board reviewed the notice of award forms for both the WTF and the WST. Mr. Sackett explained that waiting to issue the notices of award until the June 3 regular meeting, allows the town more time to get all of the pieces in place that have previously been explained at this meeting. In the bidding documents, the notice award for Bid Schedule A the WTF improvements was anticipated to be awarded by May 1 and Bid Schedule B, May 28 with the Notice to Proceed on Bid Schedule A anticipated by June 1 and Bid Schedule B

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by June 28 with substantial completion dates of December 1, 2015 and July 15, 2016 respectively. Due to the funding shortfall and subsequent delays, the project is slower getting started, but should still meet the substantial completion dates.

Consideration of issuance of Notice of Award for Bid Schedule A: Water Treatment Facility Improvements

After the Town Board received Mr. Sackett's update on the status of the water project, M/S/P Trustees Lewis, Drust to table consideration of issuance of Notice of Award for Bid Schedule A: Water Treatment Facility Improvements until the June 3 regular town board meeting to allow for more time both before and after the Notice of Award for the various tasks to be completed to move the project forward.

Consideration of issuance of Notice of Award for Bid Schedule B: Water Storage Tank, Waterline & Control Valve Vault

M/S/P Trustees Lewis, Ashley to table consideration of issuance of Notice of Award for Bid Schedule B: Water Storage Tank, Waterline & Control Valve Vault until the June 3 regular town board meeting to allow for more time both before and after the Notice of Award for the various tasks to be completed to move the project forward.

Consideration of approval and signing of Contract Amendment # 1 for EIAF #7236 – Yampa Water Treatment Facilities Imp. & Water Storage Tank

Clerk Ray explained that the contract amendment #1 for the Energy Impact Assistance Fund (EIAF) agreement #7236 is to increase the funding from \$1,000,000.00 to \$1,950,000.00 and to change the performance period end date from 12/31/15 to 12/31/16. Trustee Lewis moved to approve and have the Mayor sign Contract Amendment #1 for EIAF #7236. 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.

Mayor Yackey called a recess at 8:55 pm and the meeting resumed at 9:12 pm.

Confirmation of approval and signing of Intergovernment contract #1564 between Town of Yampa & State of Colorado – Department of Public Health and Environment – Water Quality Control Division – signed 5/21/15 for the design and construction of a new pretreatment facility

Trustee Lewis moved to confirm approval and signing of Intergovernment contract #1564 between Town of Yampa & State of Colorado – Department of Public Health and Environment – Water Quality Control Division – on 5/21/15 for the design and construction of a new pretreatment facility. Trustee Drust seconded the motion and the motion passed on

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

Confirmation of approval and signing of EIAF #7755 – grant agreement between State of Colorado Department of Local Affairs and Town of Yampa signed 5/21/15 for the Yampa Town Hall/Museum Rehabilitation Phase 3 (Crossan's M & A Market)

Trustee Lewis moved to confirm approval and signing of EIAF #7755, a grant agreement between State of Colorado Department of Local Affairs and Town of Yampa signed 5/21/15, for the Yampa Town Hall/Museum Rehabilitation Phase 3 (Crossan's M & A Market).

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

Consideration of fencing at Royal Hotel property

There was discussion regarding fencing at the Royal Hotel property. The Town Board talked about where the fencing would go, (Royal Hotel property or town property) and what the legal ramifications would be, if any, if it were put on town property and what type of fencing could be used so as not to block sight distance for vehicles at the intersection of Moffat and Lincoln. The time frame was discussed and it was agreed that the fence might need to be up for a lengthy period of time. Trustee Lewis moved to instruct Clerk Ray to speak with Attorney Weiss regarding the steps necessary for the town to erect a fence and what time frame is reasonable to expect for the legal process; also to speak with Routt County Commissioners to see what the price quote was they got from American Fencing and to Mike Zopf with Routt County regarding the CDPHE process following the letter that CDPHE sent to Mr. Ager on May 7. Trustee Ashley seconded the motion and the motion passed on voice vote.

ADJOURNMENT

The business of the meeting being done, Mayor Yackey called for adjournment. M/S/P Trustees Lewis, Drust to adjourn. The meeting adjourned at 10:06 pm.

Thomas E. Yackey, Mayor

Janet L. Ray, Town Clerk

February 3, 2016