

Town of Yampa
May 3, 2017 minutes

TOWN OF YAMPA
MAY 3, 2017
YAMPA TOWN HALL

BOARD MEMBERS PRESENT: Mayor Tom Yackey, Mayor Pro-Tem Mike Lewis,
Trustees Brian Ashley, Jeff Drust and Michael French

BOARD MEMBERS ABSENT: None

EMPLOYEES PRESENT: Public Works Superintendent (PWS) Eric Berry and
Town Clerk (Clerk) Janet Ray

AUDIENCE PRESENT: Tim Corrigan, Kari Harden, Cari Hermacinski, Doug
Monger, Tom Sullivan, and Steve Whittall

CALL TO ORDER

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

ROLL CALL

Board roll call was taken.

AUDIENCE PARTICIPATION – NON-AGENDA ITEMS

None

AUDIENCE PARTICIPATION – SCHEDULED ITEMS

Routt County Board of County Commissioners annual visit

Commission Chair Corrigan thanked the town board and audience for having them and began an update of Routt County activities. He gave an overview of the combined law enforcement facility project with Steamboat Springs to house both the Routt County Sheriff's Department and the City of Steamboat Springs Police Department. Trustee Drust asked if there had been any further discussion of a satellite office for the Sheriff's Department down this way? Commissioner Monger said it is on the table. Commissioner Corrigan said that a Human Services employee is working at the community center in Oak Creek and in Hayden one day every other week. Commissioner Hermacinski said that the adoption of the 2015 building codes is in process and that the county is looking for a new chief building official and for one combination inspector. Commissioner Corrigan reported that the contractor for the asbestos removal at the Royal Hotel site must apply for a waiver of

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the open air clean up permit, which could be up to a 60-day time frame for approval. Routt County Environmental Director Scott Cowman is working with Colorado Department of Public Health and Environment (CDPHE) to try to get the time frame reduced. The county does need material to fill the hole and are planning on using some of the broken up concrete from Oak Creek's highway and sidewalk project. Some fill dirt will still be needed as well. Commissioner Corrigan said that the down side to using the concrete is that it might lower the value of the property and they will have to disclose that the concrete will need excavated to a potential buyer. Commissioner Monger did reiterate to the town board and audience that Commissioner Corrigan had worked very hard to help the citizens of Yampa. Commissioner Hermacinski reported that a new Economic Development Director, John Bristol, was recently hired. The position is jointly funded by Routt County, Steamboat Springs Chamber Resort Association, and the City of Steamboat Springs. Commissioner Hermacinski said that Mr. Bristol will be getting out into the communities and finding out what they need and how the Chamber can help all of Routt County. PWD Berry asked if there was a time table for finishing the North end of Routt County Road 14? The answer being it is a long way out unless a new source of funding comes to light. Commissioner Monger mentioned that he is sure people are following the latest news from Stagecoach and the possible sale of the ski area and whether that could have any impact on funding for RCR 14 is unknown as well. Routt County Manager, Tom Sullivan, gave an update on the broadband. Commissioner Corrigan asked if Yampa had done any analysis of the impact of the legislature lowering the ratio of valuation for assessment for residential real property from 7.9 to 7.2 on the mill levy? Clerk Ray said she had not; it was suggested that Routt County Assessor Gary Peterson is doing some analysis for some of the taxing districts so it might be worth contacting him for Yampa. Town personnel gave the commissioners an update on the water project.

Public Hearing – Antlers Café and Bar, LLC dba Antlers Café and Bar transfer of ownership of Hotel and Restaurant License (City) from Antlers Café, Inc. dba Antlers Café

Mayor Yackey opened the public hearing at 8:01 pm. Clerk Ray reported that the application was complete, including all individual history information. There are some inspection reports that are not back yet. They include building department, environmental health department and fire department. Kari Harden representing Antlers Café and Bar, LLC, explained that when they got into cleaning and getting ready for opening, they found some appliances that needed replaced and some other repairs that needed done. It has taken longer than anticipated, but she feels like they are getting close to having it ready to pass all of the inspections. Following discussion, Trustee Lewis moved to close the public hearing, Trustee Drust seconded the motion and the motion passed unanimously on voice vote. The public hearing closed at 8:15 pm.

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Consideration of approval of Antlers Café and Bar, LLC dba Antlers Café and Bar transfer of ownership of Hotel and Restaurant License (City) from Antlers Café, Inc. dba Antlers Café

Trustee Lewis moved to approve Antlers Café and Bar, LLC dba Antlers Café and Bar transfer of ownership of Hotel and Restaurant License from Antlers Café, Inc. dba Antlers Café subject to receipt of satisfactory Routt County Building Department report, Routt County Environmental Health Department report and Yampa Fire Department report. Trustee Drust seconded the motion and the motion passed unanimously on the following roll call vote: Yackey – yes, Ashley – yes, Drust – yes, French – yes, and Lewis – yes.

Ms. Harden stated that they are planning to open around May 20 or May 26. Clerk Ray said that they probably will not have their license processed through the state by then, so the town will prepare a temporary permit for them to open until the transfer is approved by the state.

OLD BUSINESS

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

Clerk Ray reported that Randy Sackett, Civil Design Consultants (CDC), has been doing most of the communicating with Barbara and Dick & Kay Palmer. He has sent them further documentation that they requested and he has met with Skidge Moon to obtain further clarification on those documents. Engineer Sackett is trying to set up another face to face meeting with Palmers for a couple of weeks from now to discuss both the water transmission line easement and the access road. Mayor Yackey, PWS Berry and/or Clerk Ray will attend as well. Engineer Sackett is meeting with Derrick Duckels and Diane Dwire at 9:00 tomorrow morning to get Duckels input on preliminary design and budget and possibility of contracting with Duckels for the access road work. Clerk Ray says she does not think a town representative needs to be at the meeting. Engineer Sackett has a meeting May 8 with Mike Mordi-Routt County Road & Bridge at CDC's office to discuss what is necessary for county approval of the location of the new access road. The town will have a representative at that meeting and it will probably be PWS Berry. Clerk Ray reported that when she started preparing the April Small Community Grant (SCG) report, she discovered that some interim deadlines had passed for deliverables. She emailed Engineer Sackett to discuss it and ultimately Engineer Sackett and Clerk Ray had a teleconference call with Randi Johnson-Hufford at Colorado Department of Public Health and Environment (CDPHE). For the pretreatment building, Clerk Ray said that she had mistakenly thought that the town was looking at construction this summer, when the fact is that design is not yet done. Best case scenario is that design will be done in early 2018 and then design must go to CDPHE for approval before construction can begin – therefore, we are looking at the summer of 2018 for construction. Design of the transmission line was purposely stopped because of the delays in getting the easement agreement signed. Design will probably be delayed until early 2018 as

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well. There is not much funding for construction at this point and probably won't be until the wastewater project is completed. The town is looking at an extension of the end date on the SCG to December 31, 2018. Regarding the infiltration gallery, Clerk Ray reported that Surveyor Skidge Moon still needs to stake the boundary where there are not currently monuments and the boundary of the fence and easement agreement plus the east boundary line for the new fence. He thinks it's best to wait for no snow or mud.

Wastewater system improvements update and consideration of any needed approvals

Clerk Ray reported that when she started preparing the April SCG report for the wastewater project, she discovered that some interim deadlines had passed for deliverables. In a discussion with Engineers Sackett and Andre, they are not getting the information they need from subconsultant Stantech to complete the design. Part of this is because they are not only designing to solve the problem of exceeding the ammonia levels, but also trying to cover the new regulations on nutrient standards which will not go into effect until the fall of this year. During the previously mentioned teleconference with Randi Johnson-Hufford at CDPHE an extension to the grant was discussed and CDPHE will begin the paperwork for that extension. The \$10,000 planning grant from Colorado Water Resources & Power Development Authority that Clerk Ray discussed last month, is in fact related to the Disadvantaged Communities program that the town was a candidate for. Since last month's report Clerk Ray did confirm that Yampa was selected for the Disadvantaged Communities program, which will be a factor when it comes to applying for grants and/or loans.

Crossan's update and consideration of any needed approvals including Dobell construction pay request #9 and front porch pay request #5 (in packet)

Trustee Drust gave an update on the sprinkler system which was inspected by Trevor Guire out of Hayden and passed. The insulators were in after that and then the sheet rock workers. Shelves will be back in soon. Trustee Lewis moved to approve Dobell pay request #9 in the amount of \$47,174.81 on condition that the check will not be issued until Historic Routt County has the information from John Dobell that they need to revise the state historic fund budget. Trustee Ashley second the motion and the motion passed unanimously on voice vote. Trustee Lewis moved to approve Dobell front porch pay request #5 in the amount of \$3,987.13, Trustee French seconded the motion and the motion passed unanimously on voice vote.

Ongoing report on Royal Hotel fire clean up and consideration of any needed action

The commissioners gave a report on the Royal Hotel during their discussion, but the need to cap the water and sewer lines was brought up. PWS Berry said he would need to locate the sewer line so it could be cut and capped before the concrete goes in the hole. The water line will be capped as well.

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Rabies Vaccination Clinic report and consideration of thank yous to Dr. John Colburn, Peggy Colburn, Jeannine Jones, and Sheridan Myer

Clerk Ray reported that the town issued 57 dog and cat licenses and Dr. Colburn did more vaccinations so it was a successful clinic. Deputy Clerk Phillips and PWS Berry also helped with the clinic. Trustee Lewis moved to send a thank you to Dr. Colburn, Peggy Colburn, Jeannine Jones and Sheridan Myer.

NEW BUSINESS

Consideration of letter agreement with Steve Whittall and Laura Olive regarding Developer payment of fees and Planned Unit Development application requirements

This agreement was originally reviewed at the April 26, 2017 special meeting and revisions made. Trustee Lewis moved to approve the letter agreement with Steve Whittall and Laura Olive regarding Developer payment of fees and Planned Unit Development application requirements. Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

Consideration of Agreement for Professional Services for Review of Planned Unit Development Proposal by Peter Patten of Patten Associates, Inc.

This agreement was originally reviewed at the April 26, 2017 special meeting and revisions made. Mr. Whittall did not have much time between when he received the revised agreement and tonight's meeting, but he said he was willing to move forward with the agreement so the proposed project could move forward. Trustee Lewis moved to approve the Agreement for Professional Services for review of the Planned Unit Development proposal by Peter Patten of Patten Associates, Inc. Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

Consideration of Ordinance No. 2017-01 - An ordinance modifying the Town's PUD regulations to permit consolidated hearing before the Planning Commission and Town Board

Trustee Lewis moved to adopt Ordinance No. 2017-01 - an ordinance modifying the Town's PUD regulations to permit consolidated hearing before the Planning Commission and Town Board. Trustee Drust seconded the motion and the motion passed on the following roll call vote: Ashley – yes, Drust – yes, French – yes, Lewis – yes and Yackey – yes.

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Consideration of appointing Jeff Drust as the Town of Yampa representative to and proxy for the Bear River Reservoir meeting to be held Monday, May 15, 2017

Trustee Lewis moved to appoint Trustee Jeff Drust as the Town of Yampa representative to and proxy for the Bear River Reservoir meeting to be held Monday, May 15, 2017. Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

Consideration of participation in Routt County clean up day – May 20th, - adopt a highway program

The May 20th date for highway clean up was not workable for several people. Following discussion, Trustee Lewis moved to do Yampa's clean up on May 13. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

Flower Barrels distribution & maintenance

Clerk Ray said that she had confirmation from Michelle Yackey - River Park and Teri Lynch – Post Office for planting and maintaining the barrels. Trustee Drust said he would talk to Cindy Wren about the museum and Clerk Ray said she would talk to Montgomerys about County Road 7 and town staff about town hall. Trustee Drust said there might be barrels for the Crossan building porch as well.

Consideration of approval of 20-year covenant on Crossan's M & A Market; a condition of funding of the state historic fund grant applied for by Historic Routt County (HRC) if grant is awarded

Trustee Lewis moved to approve the 20-year covenant on Crossan's M & A Market; a condition of funding of the state historic fund grant applied for by HRC if grant is awarded. Trustee Drust seconded the motion and the motion passed unanimously on voice vote. The covenant gives History Colorado some authority over any alterations the owner might propose for the interior depending on the significance of the features and appearance and/or exterior of the building for a period of 20 years from the date of the contract.

PUBLIC WORKS DEPARTMENT

Geanious water line replacement report

PWS Berry reported that there was a water line replacement done at 418 Clifton, Michael Geanious and Margaret Chipman. Ed Paxton did the excavating. The repairs went well.

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Voorhees water line replacement report

PWS Berry reported that there was a water line replacement done at 47 Lincoln, Cathy Voorhees. He noted that this was not on the agenda because when agenda items were due, he did not know that the repair was going to be done. Ed Paxton did the excavating. The repairs went well.

Lead & Copper Rule update

PWS Berry said that he received notification April 17 that he must increase his lead and copper testing from every 3 years to yearly. He must provide 20 sites that can be tested and he must test 10 of them this year. He does not know if he is to rotate the sites at the end of this year, but will find out. There are 3 classifications for testing – Tier I, II and III. Tier I is single family residences built between 1983 and 1988. Tier II is duplexes built between 1983 and 1988 and Tier III includes any other type of structures built in that time period. The testing must be done in August.

2016 Nutrient testing results sent to CDPHE

PWS Berry reported that he submitted the 2016 nutrient testing results annual report to CDPHE in April.

On-going work

PWS Berry reported that PWA Samuelson had been grading streets and had them in pretty good shape until the rain and snow came and he started working on them again. The emergency brake cable broke on the 1988 Ford, which was replaced and the battery was replaced as it was about 9 years old. Regarding dust abatement, the streets that will be done are Moffat, Clifton, Lincoln and 3rd and 4th streets between Main and Lincoln. The dust abatement will probably be done the end of May/first of June.

CLERK'S REVIEW OF POSSIBLE CODE VIOLATIONS (IF ANY) AND REQUIRED ACTION (IF ANY) AND REPORT OF ON-GOING BUSINESS

Code violations

Clerk Ray reported that she has no new code violations to report. The car parked at 548 Clifton has not been moved and Clerk Ray has not had time to pursue enforcement options with Attorney Weiss. She will get to it as soon as possible

Ongoing business

Clerk Ray reported that she received the draft Memorandum of Understanding (MOU) for the beautification plan. She said she had 2 questions, which she put to Chris Endreson at the Colorado Center for Community Development (CCCD), but has not heard back from him. One question was why this one was considerably more expensive \$8,845 as compared to \$4,900 to \$5,000 for the wayfinding and the Scope of Services for the Beautification plan seems to have some of the Wayfinding signage dialog, which it should not. Clerk Ray said she thought her questions would be answered in time to have the MOU ready for Board consideration at the June meeting. Doug & Karen Tussey at 228 Moffat Avenue have been paying 2 monthly water and sewer bills because there had been living quarters both upstairs and downstairs. Per an inspection by PWS Berry, there are not living quarters in the downstairs now. Clerk Ray said that this issue had come up previously with the residence and apartment at 134 and 136 Main and Attorney Weiss had advised that if the kitchen were disabled, i.e., the stove and refrigerator removed it would not be considered living quarters. That is the criteria that was used to determine that Tusseys' did not have 2 separate living units. Chad Kurtenbach at 141 Rich Avenue had asked about the status of the water and sewer tap fees. The town now has it in the municipal code that paid water and sewer taps must be developed within five years or taps will need to be repurchased. Clerk Ray said she could find no record of property owners being notified of the change in regulations so after discussing the situation with Mayor Yackey, she sent Mr. Kurtenbach a letter with a copy of the regulations and informed him that the five years was beginning with the notification to him. Clerk Ray said that when the property changes hands, she will inform the new owner of the regulations as well. Clerk Ray said that there had been discussion at the Routt County Building Department Oversight Committee meetings regarding regulations in place that may require both the town's planning commission and town board to adopt the updated building codes. Clerk Ray put the question to Attorney Weiss who stated that the regulation only refers to county and not municipal requirements; however, if it is determined that both entities must approve, it should be able to be done the same night. Clerk Ray said that she and PWS Berry researched several zoning questions in April and that trend may continue as we go into the building season. Clerk Ray informed the town board that the First Baptist Church had purchased the Porteus property at 119 Main next to the Crossan building. Pastor Kelly Carlson had spoken with Clerk Ray about concerns with coordinating their plans for the property and the town's plans for the north side of the Crossan property. Both properties are zoned commercial. Clerk Ray said she would follow up and if a meeting between the church board and town board is needed, it can be arranged. The South Routt Economic Development Council is being re-vitalized and both Deputy Clerk Phillips and Clerk Ray have helped Ken Montgomery with a list of businesses within the area. Clerk Ray stated that she and Deputy Clerk Phillips would have a conference call this Friday with Auditor Catterson to discuss the audit schedule. Clerk Ray said she would get the 1997 Master Plan copies ready for the town board members as soon as possible. Clerk Ray reported that she did her first quarterly unemployment report electronically in April for the 2017 first quarter.

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Clerk Ray said she continues working on minutes; she still needs to do December 2016 before starting on 2017.

REPORTS OF COMMITTEES

Friends of Crossan's (FOC)

FOC President Jeff Drust reported that some FOC members will attend the Colorado Preservation, Inc. (CPI) award ceremony during the CPI annual conference because Friends of Crossan's is receiving an award for what they have accomplished on the Crossan building, which has been on the CPI Endangered Places list.

4th of July Committee

President Yackey reported that the committee held its second meeting and the celebration continues to come together. The fireworks are ordered. The next committee meeting is May 25.

MEETING REPORTS

Routt County Building Department Oversight Committee

Clerk Ray passed around the handouts from the committee meeting. The county commissioners previously reported on the building department and building code update.

Museum and Heritage Fund Advisory Board - MAHFAB

Trustee Mike Lewis reported that MAHFAB met May 2 to review grant applications. There was one application from Historic Routt County on behalf of Perry Mansfield for the rehabilitation of the Julie Harris theatre. It was recommended for approval. The next meeting is July 25.

SCHEDULE WORKSHOPS AND/OR SPECIAL MEETINGS

Workshops and/or special meetings will be held May 17, 24, and 31 as needed.

BOARD MEMBERS AND AUDIENCE REQUESTS FOR AGENDA ITEMS FOR NEXT MEETING

None

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READING OF CORRESPONDENCE AND REQUIRED ACTION IF ANY

Correspondence was circulated for review; none required action.

REVIEW FINANCIALS, METER READING REPORT AND APRIL INVOICES WITH COMPLETED VOUCHERS

The April receivables and check register were in audience packets for review. The April invoices with completed vouchers were available for review. The April meter reading report was circulated for review

READING AND PAYMENT OF BILLS

Clerk Ray read the bills. Trustee Lewis moved to pay the bills, Trustee French seconded the motion and the motion passed unanimously on voice vote.

ADJOURNMENT

The Mayor asked for further business, hearing none he called for adjournment. Trustee Lewis moved to adjourn, Trustee Drust seconded the motion and the motion passed unanimously on voice vote. The meeting adjourned at 10:18 pm.

Thomas E. Yackey, Mayor

Janet L. Ray, Town Clerk

November 1, 2017