

TOWN OF YAMPA
DECEMBER 4, 2019
YAMPA TOWN HALL – 101 MAIN STREET
CROSSAN BUILDING-2ND FLOOR

BOARD MEMBERS PRESENT: Mayor Aaron Symons, Mayor Pro-Tem Mike Lewis,
Trustees Brian Ashley, Jeff Drust and Crystal
McLaughlin

BOARD MEMBERS ABSENT: None

EMPLOYEES PRESENT: Town Clerk (Clerk) Janet Ray, Deputy Clerk (DC) Nora
Phillips, and Public Works Superintendent (PWS) Eric
Berry

AUDIENCE PRESENT: Scott Smith

Call to Order

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

Roll Call

Board roll call was taken.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Approval of Minutes

Consideration of approval of August 7, 2019 regular meeting minutes

There was a correction to the minutes – employees present, it does not show Janet Ray's name as Town Clerk and she was present. Trustee Lewis moved to approve the August 7, 2019 regular meeting minutes as corrected. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

2020 Proposed Budget Public Hearing

The proposed budget was reviewed by the town board and staff. There were no questions or comments from the audience.

Audience participation – Non-agenda items

None

Audience participation – Scheduled items

None

Old Business

Water system improvements update and consideration of any needed approvals including Scott Contracting, Inc. pay request #3

Trustee Lewis moved to approve Scott Contracting, Inc. pay request #3 in the amount of \$174,861.00. Trustee Drust seconded the motion and the motion passed unanimously on voice vote. Trustee Lewis reported that he spoke with Bobby George regarding whether Mr. George would want to do the hay meadow revegetation himself and he does not. The Town Board can give some thought as to whether they would want to consider having public works do the revegetation or hire an outside firm. It was noted that Scott Contracting is obligated to do the revegetation if told to do so. Barbara Palmer communicated with Matt Mielke regarding concerns with rocks left from the project. Mr. Mielke explained to her that weather prevented Scott Contracting from finishing the cleanup and that it will be done in the spring prior to releasing the retainage funds. Clerk Ray explained that the Town received the reimbursement from Colorado Department of Public Health and Environment (CDPHE) for Scott Contracting pay request #2, but it was deposited in the town's Highway Users Trust Fund account at Vectra Bank rather than to Bank of the San Juans. Town staff transferred the funds via check from Vectra to Bank of the San Juans and Clerk Ray discussed the problem with CDPHE staff who assured her the mistake would not happen again.

Wastewater system improvements update and consideration of any needed approvals

Clerk Ray reported that after discussions with and between CDPHE and Civil Design Consultants (CDC), it was determined to stay with the original wastewater permit application. PWS Berry left that message for Nathan Bradley at CDPHE and the Town has heard nothing further.

New Business

Discussion with Scott Smith and possible consideration of contract labor agreement

Scott Smith was present to discuss the town's needs for an Operator in Responsible Charge for the water and wastewater systems and what other water and wastewater duties he could take on during the time that the town is without a Public Works Superintendent. Mr. Smith said he could do as much or as little as needed, but would rather not be the person doing the day to day operations and that if he were, the contract would be more costly. To perform the Operator in Responsible Charge duties, his charge would be \$200 per week. Additional work would be billed at \$50.00 per hour. The contract would need to outline what was included in the \$200 per week and what would be additional. Mr. Smith said that he had spoken with Bob Pohl at CDPHE regarding the violations that the town has been experiencing and what would be needed to correct those. Mr. Smith stated that he felt it would not be too difficult to get back into compliance. Mr. Smith also mentioned that he has a friend, Marcus Dudoit, that works with technology such as the town's Scada system. He will come to Yampa on March 13th to look at the Scada system and will then give the town a quote for ongoing maintenance of the system. Trustee Lewis moved to hire Scott Smith as the Operator in Responsible Charge for the water and wastewater systems at a rate of \$200 per week for contracted work and \$50.00 per hour for additional work outside the contracted amount. Trustee Drust seconded the motion and the motion passed unanimously on voice vote. Mr. Smith will be contract labor.

Discussion regarding Public Works Superintendent (PWS) applicants; possible ranking of applicants (note: background check, references check, etc. will not be done until after ranking applicants)

The trustees ranked their choices for the PWS position as follows: Trustees Ashley, McLaughlin, and Drust – 1-Harding, 2-Fetkovich, 3-Trout, Trustee Lewis – 1-Harding, unsure about 2 and 3 between Fetkovich and Trout. Mayor Symons did not rank as he removed himself from voting due to being friends with Mr. Harding. Trustee Lewis moved to offer the PWS position to Lynn Harding at a beginning salary of \$53,000 and add \$500 for each license obtained as follows: Class D water, Class D wastewater, Class 1 collections and Class 1 distributions, pending satisfactory background check, drug/alcohol testing and driver license check. Licenses must be obtained within one year of start date.

Consideration of Resolution of 2019-03 – A Resolution Designating Holidays at Town of Yampa for the Year 2020

Trustee Lewis moved to adopt Resolution of 2019-03 – A Resolution Designating Holidays at Town of Yampa for the Year 2020. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

Continued Christmas Preparations

Santa will visit Christmas Eve. Mayor Symons said that Santa will not do the Senior Citizen deliveries after the event at Crossan's. Mayor Symons and his family are willing to assist with the deliveries. DC Phillips commented that Santa had always participated in the deliveries and she thought it should continue that way. The fire department will assist Santa on Christmas Eve. Yampa Valley Electric Association will donate the prize money for the lighting contest. The prizes will be given in South Routt Bucks and the townspeople will judge again. A ham will be given to someone who's name is drawn from those who judge the lighting contest. Ken Montgomery has ordered the popcorn ball and candy supplies. Popcorn balls will be made at the Ladies Aid Hall on Wednesday, December 18, 6:00 pm and we will ask Tom & Eloise Estes if we can use their pans to make the syrup. The candy sacks will be prepared on Friday, December 20, 10:00 am at Crossan's – 1st floor. Trustee Drust will prepare the Christmas Star and the decorative candy canes and provide the music for Christmas Eve. The Christmas tree and decorations are being put up. The "Santa is coming" sign will be up around the 16th or 17th. The Parkers will serve the hot chocolate and cookies on Christmas Eve. Cindy Ashley and Susi Cowner will make cookies and possibly a couple more people as well.

Consideration of signing Solar Utility Intergovernmental agreement (IGA)

The town board reviewed the Solar Utility IGA between the City of Craig and the regional partners for the Regional Solar Utility Feasibility grant. Trustee Lewis moved to approve and have Mayor Symons sign the agreement on behalf of Town of Yampa. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

Consideration of repurposing Town Hall sign

Clerks Ray and Phillips have been working with Nancy Kramer, Northwest Colorado Cultural Heritage Program Coordinator, to obtain visitor center signage for the Crossan building. Funding the project has been and continues to be problematic. It was suggested that perhaps the current town hall sign could be redone to say Visitor Center and a smaller sign made that says Town Hall and that could be placed at the door to the second floor. Trustee Lewis moved to repaint the town hall sign to say Visitor Center and work toward

getting a smaller sign made that says town hall. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

Consideration of blocking west side of Crossan's porch

DC Phillips explained that when people leave the Crossan building, they often jump off the porch on the west and south sides rather than taking the steps provided on the north side of the building. She is concerned that someone is going to fall and hurt themselves, especially when it is slick. Various solutions were discussed including putting boards, lattice, or planters to block the way. DC Phillips asked if there is still Crossan wood available to make planters; the answer being yes. Further research will be done and a decision made later so the solution will be in place before winter next year.

Public Works Department

Order to install head gate and/or measuring device-Yampa Water Works AP 1 report

PWS Berry stated that Town of Yampa does have a measuring device in place. He has drafted a letter to send to Division of Water Resources, Division 6 Engineer Erin Light, and Water Commissioner Scott Hummer, which he will get out in the next few days. He will include pictures with the letter. Mayor Symons asked PWS Berry to communicate to Scott Smith what actions he has or will take.

Sanitary Survey Results

PWS Berry reviewed the sanitary survey results with the Town Board and audience. The inspector observed that a chunk of concrete was dislodged from the hatch area of the storage tank and it needs repaired. PWS Berry stated that it would be difficult to repair this time of year because with the temperature being so low, the concrete would have difficulty setting up. He will speak with CDPHE and discuss a solution. There were 4 violation notices in the report and PWS Berry said that he had satisfied or was in the process of satisfying all of them. The Tier 2 violation public notices are due on December 7th. PWS Berry spoke with Bob Pohl at CDPHE and the notices can be posted throughout town by December 7th and then sent to all water system users with the billing statements on December 10.

CDPHE Violation Notice – Failure to Monitor or Timely Report Entry Point Disinfectant & Turbidity Results from October 1, 2019 to October 31, 2019

PWS Berry stated that the monitoring was done, but the report did not go to CDPHE by the deadline. The report has been sent.

CDPHE Violation Notice – Failure to Maintain Certified Operator at Appropriate Certification Level

The Town received notification that PWS Berry did not renew his C level water certification putting the Town out of compliance with having a certified operator at the appropriate certification level for the water treatment facility. This will be rectified with the hiring of Scott Smith. The Town is required to provide a Tier 2 violation notice to the water system users by December 6th. PWS Berry spoke with Bob Pohl at CDPHE and the notices can be posted throughout town by December 6th and then sent to all water system users with the billing statements on December 10.

CDPHE Compliance Advisory – Failure to Submit Discharge Monitoring report

A violation notice was received regarding the failure to submit discharge monitoring reports for July and August 2019. PWS Berry stated that the reports have been submitted, but they were not submitted by the deadline.

Nutrient testing report

The nutrient testing report was in board and audience packets. PWS Berry reminded the board that the town is required to do the testing and submit the results to CDPHE, but no limits have been set yet for small wastewater plants.

2019 water usage report

The 2019 water usage report was in board and audience packets for review. The data must be submitted to Water Commissioner Hummer by tomorrow, which PWS Berry will do. This is treated water. DC Phillips asked if this could be compared to the exported meter report to see how much water is coming to town and not going through meters. The answer being yes. PWS Berry noted that the town was first required to submit this data beginning in 1996.

All Hazards Multi-Agency Coordination (MAC) Group meeting report

PWS Berry reported on the November 21st meeting. They received an update on the Hazard Mitigation Plan grant, discussed items from the 2019 Routt County Functional Exercise After Action report, Wildfire Mitigation Roundtable, the new Emergency Operations Center, the updated Mutual Aid Agreement, the National Incident Management System implementation, the Type 4 Incident Management Team, and the Routt County 2020-2023 Training and Exercise Plan.

Ongoing work – including Public Works training manual progress report

PWS Berry reported that there was both a water line repair and sewer line repair for Doug and Karen Tussey at 228 Moffat. Mayor Symons asked if PWS Berry was working on instructions or anything like that for a new person that would have the public work superintendent position? PWS Berry said he had been making some lists. Mayor Symons encouraged PWS Berry to get some instructions written down. PWS Berry was asked about the tires for the grader. He said they have already been put on and asked how the Board wanted the carcasses from the old tires disposed of. Following discussion, he will talk with Routt County and A & E Tire Services about disposing of them.

Clerk's review of possible code violations (if any) and required action (if any)

Clerk Ray reported that she has done nothing further on the property clean ups. She has received no new violation complaints.

Clerk's report of on-going business

Clerk Ray reported that she is attending monthly election webinars hosted by Colorado Municipal League (CML) for the upcoming municipal election in April. DC Phillips reported that there had been sewer odor on the first floor for a few days and she had asked Bill Queen (Diamond Drain) and Fire Chief Ky Cox to check on it. Ultimately, the pea traps were dry and she put bleach in them and Mr. Queen repaired a problem with the line on the sink in the meeting room and everything seems to be okay now. Mayor Symons asked about the process for putting a question on the April municipal election ballot regarding a mill levy to repair Main Street, but because there has not been much discussion about what type of surface residents would like to see, there may not be time to do all the preparation needed. The ATV- UTV ordinance was discussed. Clerk Ray said she is close to having it ready for review. She needs to talk with the Sheriff's Department and the fee schedule needs set. The August 14, 2019 special meeting minutes are completed and will be on the next agenda for approval. Clerk Ray had both a redline version and a final draft version of the Health Reimbursement Arrangement (HRA) for town board and employees to review. The town board had asked that the HRA privacy policy be reviewed by an attorney. Attorney Weiss does not practice human resources law, which is needed to do the review. An attorney with Employers Council can review the policy next week and give the town an opinion. Assistant Clerk O'Halloran has been working with the Statewide Internet Portal Authority (SIPA) and is close to having the process set up for the town to accept debit and credit card payments. The Yampa Egeria Historical Society (YEHS) did not have a November meeting so Clerk Ray has been unable to ask the members about keeping the oil tank stored in the town's storage yard. Tour de Steamboat donated \$500 for the downtown flower project that Gateway Yampa coordinates. A thank you will be sent. The town received a letter from

Pinnacol Assurance denying PWS Berry's claim because they had not received the correct records. He spoke with the doctor's office and they are resubmitting the paperwork. Marissa Perry who is living in Yampa this summer gave the town \$20 for putting a bag of trash in the town dumpster. Ken Montgomery reported to Clerk Ray that they received notification that the grant for the charging station at the store was approved. They have not received written confirmation at this time.

Clerk Ray explained that the question was raised at the November 20, 2019 Board of Adjustment hearing on the property at 31 Main Street, whether the approval of the use of the existing structure as a residence in a commercial zone that does not meet residential zone setbacks carried into the future if the property reverted to commercial use and then someone wanted to use it as a residence. Clerk Ray asked Attorney Weiss for an opinion and he said that it was up to the Board of Adjustment and should have been stipulated one way or the other at the Board of Adjustment hearing. Because it was not, he said that the Board of Adjustment would need to meet again to address the question.

Clerk & Deputy Clerk training manuals progress report

Clerk Ray said she has made a couple of trivial additions, but nothing substantial.

Reports of Committees

None

Meeting Reports

Northwest Transportation Planning Region (NWTPR) report

Clerk Ray reported that she attended the meeting via telephone. A draft outline for the Northwest TPR 2045 Regional Transportation Plan was available and discussed. Work continued on prioritizing the list of projects for the region. The Multi Modal Options Fund application was discussed; Clerk Ray said she does not believe Town of Yampa has any projects in the works that would qualify for funding. Member jurisdictions gave updates and the meeting was adjourned.

Schedule Workshops and/or Special Meetings

A special meeting will be held December 11th for budget approval and no other workshops or special meetings will be scheduled due to the holidays.

Members and audience requests for agenda items for next meeting

None

Reading of Correspondence and required action if any

Notice was received from Bob Weiss that Weiss and Van Scoyk is closing its physical office as of December 31st. Mr. Weiss will continue being the attorney for Town of Yampa. Other correspondence was circulated; none required Town Board action.

Review November financials, November meter reading report and November invoices/vouchers

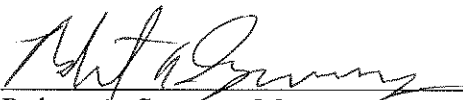
November financials were in town board and audience packets for review. The November meter reading report was not available. November invoices with completed vouchers were circulated for review.

Reading and Payment of Bills

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

Adjournment

Mayor Symons asked for further business, hearing none he called for adjournment. Trustee Lewis moved to adjourn, Trustee McLaughlin seconded the motion and the motion passed unanimously on voice vote. The meeting adjourned at 11:08 pm.


Robert A. Symons, Mayor

Attest:


Janet L. Ray, Town Clerk

June 3, 2020