

## RECORD OF PROCEEDINGS

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TOWN OF YAMPA  
DECEMBER 7, 2016  
YAMPA TOWN HALL

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

BOARD MEMBERS ABSENT: Mayor Tom Yackey

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

AUDIENCE PRESENT: Scott Miller, Randy Sackett, Lindsey Whittall and Steve Whittall

### CALL TO ORDER

Mayor Pro-Tem Lewis serving as Mayor called the meeting to order at 7:00 pm.

### ROLL CALL

Board roll call was taken.

### 2017 PROPOSED BUDGET PUBLIC HEARING

Mayor Lewis opened the public hearing. Clerk Ray reported that no one has come in to look at the budget and no calls. Clerk Ray said that she had made no changes to the budget from the last draft the Board had reviewed. PWS Berry said that he would have some additional information prior to final adoption of the budget next week. There were no questions from audience or town board members present. Mayor Lewis closed the public hearing.

### MINUTES

#### June 1, 2016 and July 6, 2016 regular meeting minutes

Trustee Drust moved to approve the June 1, 2016 and July 6, 2016 regular meeting minutes, Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

### AUDIENCE PARTICIPATION – NON-AGENDA ITEMS

None

AUDIENCE PARTICIPATION – SCHEDULED ITEMS

None

OLD BUSINESS

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

The project update prepared by Matt Mielke of Civil Design Consultants (CDC), was in town board and audience packets, along with the November 15 and November 29 construction meeting minutes. PWS Berry reported that the storage tank at the water treatment plant has been completely drained and repairs are being made to cracks in the tank. The new hatches will be installed and the concrete will be poured Friday. There had been some seepage on the outside walls, but those have been repaired. PWS Berry noted that he believes these repairs have put the tank in good shape, but it is an older tank and probably 10-15 years down the road, it will need replaced. He said that he would be doing quarterly inspections, which would consist of opening the hatch and making sure that there is nothing on top of the water and that there are no signs of anything getting in the tank. He would also recommend that a diver be brought in every 5 years to inspect and report on the condition of the tank. Engineer Sackett said they got good documentation and video from the inspection and the inspection proved that there was nothing in the tank that was structurally compromised. There is some wear in the chlorine contact chamber at the corners at the S points, but those only act as baffles. Mr. Sackett said that it may need lined sometime in the future, but that should be manageable from a maintenance stand point. PWS Berry said that the bypass is working well. Trustee Ashley asked if the turbidity line could be installed soon; PWS Berry said he hoped so. Engineer Sackett explained that as of December 2, there has been a construction delay due to a faulty actuator on the control valve at the Control Valve Vault site. Duckels sent the actuator back to the manufacturer to be repaired or replaced but even if it comes back before the end of the year, Browns Hill will need to come back to do some work and we could run into conflicts with people's holiday schedules. Mr. Sackett said he contacted Randi Johnson-Hufford at Colorado Department of Public Health and Environment (CDPHE) to ask how the delay could affect the funding. She gave him some options, but he hasn't had time to review them or discuss with others, so after he does, he will come back to the town board with some answers. Clerk Ray reported that the Town, Attorney Weiss and Engineer Sackett are still working on coming to agreement with Palmers and the documents the Town needs from them. The stumbling block at this point is the placement of the replacement transmission line; Palmers want it within 16 ½ feet of the property line and that may not be where the line is physically located. If not, it could add a lot of cost to the replacement. The amended 2015 Small Communities Grant Statement of Work has been returned to CDPHE, but no acknowledgment of approval has been received. The proposed use of the remaining funds and the extension request for the Source Water Protection Plan grant were approved by CDPHE. The extension is to December 16, 2018.

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Clerk Ray reported that Engineer Matt Mielke had told her that the pay request amount from Duckels might go down, but would not go up. Trustee Ashley moved to approve Duckels pay request #16 in the amount not to exceed \$102,840.57. Trustee French seconded the motion and the motion passed unanimously on voice vote.

### Wastewater system improvements update and consideration of any needed approvals

Mr. Sackett reported that CDC has been working with Stantech as a subcontractor because of their expertise in lagoon systems. CDC and Stantech are working on the Project Needs Assessment (PNA), which is what CDPHE is calling the preliminary engineering report now. Mr. Sackett said that in November, with the Town's permission, an extension to January 31, 2017 to provide the PNA to CDPHE was requested and granted.

### Ongoing report on Royal Hotel fire clean up

Clerk Ray reported that per Commissioner Tim Corrigan, the county received 6 or 7 responses to the clean-up Request For Proposal (RFP), ranging from \$143,000 to \$272,000. One has not been selected at the time of this report. A grant request will still need to be approved by the Brownfields division at CDPHE for the clean up to occur.

### Crossan's update and consideration of any needed approvals

Clerk Ray reported that Dobell's pay request #4 was in the board and audience packets. In addition, Architect Jan Kaminski's memo regarding payment, the Schedule of Values and a lien waiver for payment request 1-4 were at board seats and available to the audience tonight. Trustee Ashley moved to approve the Dobell payment request #4 in the amount of \$114,445.48. Trustee French seconded the motion and the motion passed unanimously on voice vote. Trustee Drust abstained from voting on the payment as he as a subcontractor had an invoice included in the Dobell request.

## NEW BUSINESS

### Continuation of pre-application conference for Huffstetler Trailer Park (first presentation information and PUD information in packets)

Clerk Ray reminded the Board and audience that currently, the Huffstetler Trailer Park (HTP) property is zoned commercial and the commercial zoning regulations are what she has been looking at as it would relate to Mr. Whittall's proposal. Clerk Ray informed the Board and audience that she had a discussion with Attorney Weiss last Friday (Dec 2), in which he told her that rather than possibly having to make major changes to the commercial zoning regulations, the Board should look at the project under the Planned Unit Development (PUD) regulations. Mr. Whittall said that at this point, his moving forward with a contract on the HTP would be contingent on the Board telling him he can move forward with a formal

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application for the PUD because it is not his intent to own a trailer park. He noted that it is important for the Board to know he is not looking for approval at this point, but rather approval to move forward with a formal application. Trustee Drust said he had looked at the PUD regulations some and he questioned how the RV parking would fit and asked for an overview of what Mr. Whittall is thinking time wise for the RVs to be on the property. Mr. Whittall said that at this point it is pretty undefined, but that for vacationers, he is thinking 2 weeks to a month and for the workers, the time needed to build the units. Trustee Ashley said he liked the concept of the tiny homes and container units, but does not feel he can be a party to the people in the trailer park losing their homes. He noted that the people own the trailers and it is unlikely that the trailers can be moved so those people are out their investments. Mayor Lewis said that he is concerned with the possibility of 24 units on a site of 1.1 acres. Trustee French said that he likes the idea of cleaning up the trailer park, but is not fond of the idea of pushing people out of their homes. In promotion of the tiny homes/container unit model, Scott Miller said he believes that the safety and warmth of owning your home is huge and that would draw people into the market. Lindsey Whittall said that she has lived in Steamboat Springs for 10 years, but that she enjoys Yampa and the opportunities for getting outdoors, etc. and she thinks that with the right pricing, the units would be very popular with some people living in Steamboat Springs now, but that cannot afford to buy there. Mayor Lewis said that he has talked to several people and none of them have been in favor of the project. Following the discussion, Trustee Drust moved to continue to a formal PUD application, Trustee French seconded the motion and the motion passed on the following roll call vote: Ashley – yes, Drust – yes, French – yes and Lewis – no. Trustee Ashley stated that he is willing to let this go to formal application, but that he does not see how he could support the project unless the owners of the mobile homes in the park now were given some compensation. Mr. Whittall said that he was disappointed to hear of the opposition because of the removal of the tenants from the trailer park and that he did not think that it was worth his time to move forward. Mr. Whittall left the meeting, but it was noted that the Town Board voted favorably that Mr. Whittall could move forward to formal application.

### Finalize Christmas preparations

Clerk Ray said that Mayor Yackey is still getting in touch with Santa. PWS Berry said that the fire department will assist with delivering candy bags and Santa to the town tree. The Christmas Star and museum lights will be up soon, probably this weekend. Mayor Lewis said he would get the tree this weekend and get it in town hall and in water. The Yampa Valley Electric Association (YVEA) donation for the lighting contest has been received. South Routt bucs will not be available this year so the lighting contest winners will be given cash. Town clerical staff is still working on possible changes to the judging of the lighting contest. Preparation of the popcorn balls and candy sacks will be the week of December 19, but exact dates have not been picked. The candy is ordered and Ken Montgomery will have the ham for the drawing by the voting date. These details will be determined before publication of the newsletter so the information can be available in the newsletter. Clerk Ray

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will get the Senior Citizen and Town Board list to Santa by Christmas Eve. Clerk Ray will verify that the Olinger and Parker families can serve refreshments and that there will be cookies on Christmas Eve. The "Santa is coming" sign will be put out around December 16 and snow will be cleared from the Yackey Park area and First Street by Christmas Eve.

### Designation of individual or committee for management responsibilities and consideration of signing audit engagement letter

Trustee Ashley moved to designate Clerk Ray as the individual for management responsibilities for the audit and to approve signing the audit engagement letter with Catterson and Company P.C., Trustee French seconded the motion and the motion passed unanimously on voice vote.

### Designation of trustee to participate in audit planning meeting

Trustee Drust moved to designate Trustee Lewis to participate in the audit planning meeting, Trustee Ashley seconded the motion, and the motion passed unanimously on voice vote.

### Fraud Risk Factors

Clerk Ray reported that the Fraud Risk Factors information provided by Auditor Catterson is in town board and audience packets for review. Clerk Ray said that she could forward any questions to Mr. Catterson for answers.

### Resolution No. 2016-07 – A resolution designating holidays at Town of Yampa for the year 2017

Trustee Ashley moved to adopt Resolution No. 2016-07 - a resolution designating holidays at Town of Yampa for the year 2017, Trustee Drust seconded the motion and the motion passed on voice vote.

## PUBLIC WORKS DEPARTMENT

### Wastewater Nutrient Testing Data

The results were in the board and audience packets.

### 2016 Water Usage Data

The water usage information was in the board and audience packets. PWS Berry noted that he sends this information monthly to the Department of Natural Resources now. Trustee Ashley asked if leaks were under control. PWS Berry said that there is still a large leak at Cordova Trailer Park and that he is negotiating with the trailer park owner regarding repairs.

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PWS Berry said that the repairs need made by mid-April if the ground is thawed as it needs done prior to irrigation season.

### Violation Notice-Failure to Submit LT2 Monitoring Plan

A violation notice for failure to submit the LT2 Monitoring Plan was received from CDPHE on November 8<sup>th</sup>. PWS Berry said that he is waiting on more information from Eagle River Sanitation, which does the testing and when that information is received, he will submit the plan before the end of next week. He noted that he is testing now for ecoli twice a month, over a year's time of both the ground and surface water sources through the end of October 2017.

### Ongoing business

PWS Berry said he and PWA Samuelson have been working on street maintenance and maintenance on equipment preparing for winter. He asked if the coal for the town hall is coming in soon; Mayor Lewis said it should be here this week. Trustee Ashley asked if the town shop had been winterized since there is no coal in the shop. PWS Berry said he is working on it. Public Works will put the wing on the grader by the end of this week. The siphon has not been pumped out because there were cattle that needed water in November, but PWS Berry said it would be pumped out tomorrow. Trustee Ashley asked about the status of the dump truck and PWS Berry said that he had gotten a carburetor kit and the repairs would be made soon. Mayor Lewis reminded PWS Berry that the oil needs changed in the new truck now.

### 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.

#### Ongoing business

Clerk Ray said she has no update on the complaint of barking dogs from last month. Kasey O'Halloran is continuing work on the website; an early 2017 site launch is hoped for. Clerk Ray is working on August regular meeting minutes. A workshop for a presentation from Chief Building Official Ben Grush regarding the update for the building codes has not been scheduled, but Clerk Ray said she would try for January. Adoption has been pushed back to March or April at the earliest. Clerk Ray said she had had a call from Chris Endreson - Technical Assistance Coordinator for the Colorado Center for Community Development - University of Colorado Denver asking if we still wanted to do the beautification plan. The information from the Gateway Yampa group & Trustee Drust has been received, but not

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passed on to Mr. Endreson yet so he has not had a chance to draft the Memorandum of Understanding. Clerk Ray said she has done no further research on the subdivision questions on the east and west acreages of the Klumker property due to a lack of time.

### REPORTS OF COMMITTEES

#### Friends of Crossan's (FOC)

FOC President Jeff Drust said progress is being made. Plumbers are due in and he said that he has been working on the electrical. President Drust was asked if the contractor can meet completion deadlines. Clerk Ray said that Commissioner Corrigan had talked with Kenny Carter who is managing the job site and after that conversation, Commissioner Corrigan said he is feeling more confident that the job will finish by the February deadline.

### MEETING REPORTS

#### Yampa/White/Green Basin Roundtable

Trustee Drust reported that Anne Castle with Getches-Wilkinson Center - University of Colorado gave a presentation about Integrated Land & Water Planning and that there is a need to explore mechanisms to reduce barriers to Alternative Transfer Methods (ATMs) of water and also a better mechanism for water banking to work. Bill Badaracca, who lives up Elk River, was re-elected to an at-large seat on the Roundtable, representing Routt County. The next meeting will be January 11, 2017 in Craig.

### SCHEDULE WORKSHOPS AND/OR SPECIAL MEETINGS

Trustee Ashley moved to schedule a special meeting for December 14, 2016, for budget adoption. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

### BOARD MEMBERS AND AUDIENCE REQUESTS FOR AGENDA ITEMS FOR NEXT MEETING

None

### READING OF CORRESPONDENCE AND REQUIRED ACTION IF ANY

A copy of Routt County Resolution No. 2016-055 – a resolution designating the Yampa Ladies Aid Hall to the Routt County Register of Historic Properties by the Board of County Commissioners for Routt County, Colorado, adopted November 1, 2016, was received. Other correspondence was circulated for review; none required action.

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

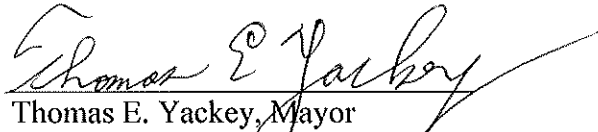
The November financials were in the town board and audience packets for review. There were no questions. November invoices with completed vouchers were circulated for review. The October and November meter reading reports were circulated for review.

READING AND PAYMENT OF BILLS

Clerk Ray read the bills. Trustee French moved to pay the bills, Trustee Drust 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 Drust moved to adjourn, Trustee Ashley seconded the motion and the motion passed unanimously on voice vote. The meeting adjourned at 10:25 pm.



Thomas E. Yackey, Mayor



Janet L. Ray, Town Clerk

June 7, 2017