

**RECORD OF PROCEEDINGS**

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TOWN OF YAMPA  
FEBRUARY 5, 2020  
YAMPA TOWN HALL – 101 MAIN STREET  
CROSSAN BUILDING-2<sup>ND</sup> 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 Assistant (PWA) Greg Samuelson

AUDIENCE PRESENT: Tim Corrigan, Brian Kelly, Kristy Winser, and Bob Woosmansee

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.

Audience participation – Non-agenda items

Routt County Commissioner Tim Corrigan announced that Routt County Manager, Tom Sullivan is retiring at the end of March. The commissioners have begun the search for a replacement. Assistant Manager, Dan Weinheimer, resigned his position to take a job in Oregon. Chad Phillips, Routt County Planning Director resigned his position and Kristy Winser will serve as the Interim Planning Director.

## RECORD OF PROCEEDINGS

---

### Audience participation – Scheduled items

#### Routt County Master Plan update - Routt County Planning Department

Routt County Interim Planning Director, Kristy Winser, presented information regarding the update to the Routt County Master Plan and encouraged the Town Board and audience to get involved in the planning process.

#### Old Business

#### Water system improvements update and consideration of any needed approvals – revegetation of hay meadow

Trustee Lewis talked to Bobby George regarding the type of hayseed he wanted used for the revegetation of the hay meadow where the water transmission line was replaced. No one with the Town has heard back from Mr. George so there is nothing further to do until he contacts us.

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

Clerk Ray reported that she had not had a conversation with Scott Smith regarding the cost estimates for the various improvements to the Town's wastewater treatment plant and what his recommendation would be as to which improvements to start with. She will report to the Town Board after she and Mr. Smith have that conversation.

#### Public Works Superintendent job description follow up and Scott Smith follow up

Clerk Ray asked for clarification on whether the Town Board still wanted the Public Works Superintendent to get water, wastewater, collections, and distribution licenses. The answer was yes, but the person would not have to get the licenses right away and could have at least a year to get the licenses since Scott Smith is willing to be the Operator in Responsible Charge for the long term.

#### April 7, 2020 municipal election update and consideration of Resolution 2020-02 – A resolution cancelling the April 7, 2020 Town of Yampa municipal election and declaring the candidates for the offices of mayor and trustees elected if there are not more candidates than offices to be filled

Clerk Ray reported that there were no petitions or write-in candidates for the office of Mayor. There was one petition for trustee, that from Jeff Drust and no petitions or write-in

## RECORD OF PROCEEDINGS

---

candidates for the remaining trustee position. As there are no ballot questions on the ballot and not more candidates than offices to be filled, the election can be cancelled.

Trustee Lewis moved to adopt Resolution 2020-02 – A resolution cancelling the April 7, 2020 Town of Yampa municipal election and declaring the candidates for the offices of mayor and trustees elected. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

Clerk Ray suggested that board members talk to eligible electors within the town to see if anyone would be willing to serve as mayor or trustee and if so, that person needs to write a letter expressing his or her interest in the position. Clerk Ray stated that if no letters of interest are received in the allowed time frame, a special election will need to be called.

### Regional Solar Planning for Peak Power Shaving and Net Metering Requests for Proposal and Regional Solar Utility Planning Project updates

From the requests for proposals received, McKinstry was the company chosen to do the feasibility study for the various entities participating in the Regional Solar Planning for Peak Power Shaving and Net Metering project. For Town of Yampa the old town hall/emergency services building and the wastewater plant are the projects. McKinstry has done some preliminary work and will be contacting each entity for further information on the individual projects.

Requests for proposals for the Regional Solar Utility Planning Project were received and the participating entities have a meeting next week to vote on which company to engage for the project.

### Stillwater Ditch Update

Clerk Ray reported that Andi Schaffner had sent an email explaining that the Stillwater Ditch participants made the Upper Yampa Water Conservancy District (UYWCD) aware that the ditch participants would not sign UYWCD's last "as-is" proposal; therefore, the Stillwater Ditch will remain with UYWCD. This will not become official until after the UYWCD board meeting scheduled for February 12<sup>th</sup>. UYWCD did approve a motion by Tom Sharp that the participants be reimbursed legal expenses on the ditch negotiations up to a total of \$11,000. UYWCD will require an amendment to the 2005 Stock Assignment Deed and a draft of the amendment was received today. Clerk Ray gave town board members a copy of the draft and asked that if they had any questions or comments to let her know so she can pass said questions or comments to Andi Schaffner prior to the UYWCD board meeting on February 12.

## RECORD OF PROCEEDINGS

---

### 2019 Audit Update including Pre-Audit meeting summary

Clerk Ray reported that Trustee Lewis, DC Phillips, and Clerk Ray attended the pre-audit meeting with Auditor Chris Catterson. There are no new Governmental Accounting Standards Board (GASB) regulations that will affect the town and everything else should be close to the same as previous years.

### New Business

#### Consideration of Ordinance No. 2020-01- an Ordinance repealing and reenacting with amendments, Title 14, Section 14.02.05 B, C and D only, of the Yampa Municipal Code pertaining to water and sewer rates

Trustee Lewis moved to adopt Ordinance No. 2020-01- an Ordinance repealing and reenacting with amendments, Title 14, Section 14.02.05 B, C and D only, of the Yampa Municipal Code pertaining to water and sewer rates. Trustee Drust seconded the motion and the motion passed unanimously on the following roll call vote: McLaughlin – yes, Symons – yes, Ashley – yes, Drust – yes, and Lewis – yes.

#### Ratification of submission of Colorado Department of Transportation Yampa Signature Sheet

Clerk Ray reported that the Colorado Department of Transportation (CDOT) mileage certification was due February 1 and she failed to put it on the January meeting agenda. There were no changes to Yampa's mileage and she asked Mayor Symons to sign the sheet so she could send it to the state on time. Trustee Lewis moved to ratify the signing of the street mileage sheet and Trustee Drust seconded the motion. The motion passed unanimously on voice vote.

#### Consideration of approval of employee pay policy

Assistant Clerk (AC) O'Halloran had consulted with Employer's Council regarding Colorado wage laws and it was determined that the Town of Yampa could change the payroll process to one check per month and still comply with all labor laws. The suggestion is to cut one check per month for each employee. For the employees receiving overtime, additional hours pay, and on-call pay, the check will be for the current month's base pay and the previous month's overtime/additional hours/on-call pay. The checks would be cut on the 15th of each month or the business day closest to the 15th of each month. The two employees this affects currently are DC Phillips and PWA Samuelson. Both have indicated that they are agreeable to the arrangement. Clerk Ray is an exempt employee and does not receive overtime. AC O'Halloran is part-time and does not receive overtime or on-call pay.

## RECORD OF PROCEEDINGS

---

Trustee Lewis moved to approve the employee pay policy as outlined above and Trustee McLaughlin seconded the motion. The motion passed unanimously on voice vote.

### Consideration of thank you to Eric Berry for service as Public Works Superintendent

Trustee Lewis moved to send former Public Works Superintendent, Eric Berry, a thank you for his years of service. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

### Consideration of thank you to American Legion for flags

Trustee Lewis moved to send a thank you to the Bird-Howe American Legion Post #189 for the donation of the flags. Trustee McLaughlin seconded the motion and the motion passed unanimously on voice vote.

### Stephen H. Hart Award for Crossan's report

Trustee Drust reported that Crossan's was recently the recipient of the prestigious Governor's Award for Historic Preservation and the Stephen H. Hart award. Representatives from Friends of Crossan's M & A Market, Historic Routt County, Town of Yampa, Dobell Contracting and Mountain Architecture Design Group, PC travelled to Denver for the presentation. In 1986, History Colorado began presenting the Stephen H. Hart Awards for Historic Preservation (named for Colorado's first state historic preservation officer) to recognize organizations and individuals who had made significant contributions to the field of archaeology and historic preservation in Colorado. In addition, on request of Representative Dylan Roberts and Senator Bob Rankin, the State of Colorado Senate and House of Representatives convened in the Seventy-second General Assembly and extended sincere commendations to Crossan's for the preservation effort.

### Public Works Department

#### Town Shop – sewer line & water line

PWA Samuelson reported that both the sewer line and water line in the town shop are thawed.

#### 1988 Ford truck repairs

PWA Samuelson reported that he had made some repairs on the 1988 Ford.

#### Grader wing

PWA Samuelson reported that the strut arm on the motor grader broke, but has since been repaired. He noted that the wing needs to be rebuilt.

## RECORD OF PROCEEDINGS

---

### Ongoing work – including Public Works training manual progress report

PWA Samuelson reported that he had removed the ice from the Crossan building roof; it was 7 to 8 inches thick. On Monday, February 3<sup>rd</sup>, the control valve on the water treatment system malfunctioned and did not open as it should have so the tank emptied. The control panel at the treatment plant read that we had a little over 8 feet of water in the tank, which was not accurate. PWA Samuelson checked what he could and Matt Mielke with Civil Design Consultants (CDC) came up and checked everything as well. No reason could be found for the malfunction and everything seems to be working properly now. PWA Samuelson told the Town Board that he would be out of town February 17 through 19 rather than the 10<sup>th</sup> through the 12<sup>th</sup> as he had previously thought. Trustee Ashley asked about the coal situation. PWA Samuelson stated that we should have enough to get through February and Jim Naugle had indicated that we should be able to get some before we run out. Other work done included snow plowing, water meters repairs, posting disconnect notices, and shop clean up. PWA Samuelson said that Eric Berry had removed his personal tools, so he has been making a list of tools the Town needs to purchase and will get the list to the Board in the coming weeks. PWA Samuelson reported that Eric Berry had placed orders to USA Bluebook and Hach for supplies that Scott Smith said the Town did not need so the supplies were returned to the companies. Clerk Ray reported that nothing further has been done on the Public Works training manual.

### Violation notices update

Clerk Ray went through the violation notices in order of them having been received and verified that ORC Smith had responded to CDPHE on the following: Letters dated November 7 regarding the sanitary survey, December 13 compliance advisory-failure to submit discharge monitoring report, and January 17 compliance advisory-reported effluent violation notice of significant non-compliance. She will follow up with Mr. Smith on the following – January 10 violation notice - failure to distribute public notification or timely report, January 16 violation notice - failure to distribute public notification or timely report, and January 29 compliance advisory notice of intent to develop an enforcement order and penalty.

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

Clerk Ray reported that she has made no progress on the property clean ups. She has received no new violation complaints.

## RECORD OF PROCEEDINGS

---

### Clerk's report of on-going business

Clerk Ray reported that both PWA Samuelson and Deputy Clerk Phillips had asked about the possibility of doing payroll direct deposit, but there has not been time to investigate it. Clerk Ray said that AC O'Halloran has been working on the privacy policy that will accompany the Health Reimbursement Arrangement (HRA). There are some documents that need to be available with the privacy policy that the Town does not yet have. Mayor Symons said that he is still working on the Paid Time Off (PTO) paperwork. Jeff Drust gave the Clerk a cost estimate to install electric heat in the town shop. AC O'Halloran had asked JDW to prepare a cost estimate for propane heat in the town shop, which the Town has not received yet. Clerk Ray reported that she had communicated with Department of Local Affairs (DOLA) Representative, Greg Winkler, regarding funding for coal heat replacement and he said he thought there would be a funding source for that. Clerk Ray reported that the elevator is not working and she put a call into the service company who will let her know when they can send a service technician.

### Reports of Committees

None

### Meeting Reports

#### Our Climate Opportunity meeting

Trustee Ashley reported on a meeting he attended hosted by the City of Steamboat Springs, Colorado Mountain College, Steamboat Ski and Resort Corporation, YVEA and Routt County titled "Our Climate Opportunity". Climate Scientist Rob Davies of Utah State University gave a presentation about the problems, but no action plans were presented or developed at the meeting.

#### Museum and Heritage Fund Advisory Board (MAHFAB) meeting

Trustee Lewis reported on the January 28, 2020 meeting where the museum entities presented their 2019 financials and 2020 budgets. MAHFAB recommended approval to Routt County Board of County Commissioners of all financials and budgets. The next meeting is scheduled for April 14, 2020.

### Schedule Workshops and/or Special Meetings

No workshops or special meetings were scheduled at this time.

## RECORD OF PROCEEDINGS

---

### Members and audience requests for agenda items for next meeting

None

### Reading of Correspondence and required action if any

#### Letter from Department of Local Affairs (DOLA) regarding Yampa Electric Charging Station

A letter from DOLA was received which stated that the Town of Yampa was awarded a grant in the amount of \$15,000 to assist with design and engineering for location of a site and installation of a Level 3 DC Fast Charger. Clerk Ray noted that this is the project that Megan Moore-Kemp of Yampa Valley Electric is spearheading.

#### Yampa Fire Protection District (YFPD) letter

Clerk Ray read a letter from the YFPD in which they asked about the roof repair, boiler maintenance and boiler replacement at the old town hall/emergency services building. Clerk Ray noted that the roof repair would be a springtime project at the earliest. She noted that multiply efforts had been made to communicate with John Salazar about the repair without success. This will be taken up again later. Clerk Ray noted that she had heard the roof was leaking, but when she requested fire department personnel check the situation, it was not. Public Works is still maintaining the boiler and not a lot of progress had been made on boiler replacement at this time. There was no other correspondence that required town board action.

#### Review January financials (note: no trial balance), January meter reading report and January invoices/vouchers

January financials, minus the trial balance, were in town board and audience packets for review. The January meter reading report and the January 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.



Town of Yampa  
Regular meeting  
February 5, 2020

## RECORD OF PROCEEDINGS

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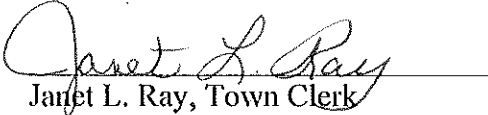
### Adjournment

Mayor Symons asked for further business, hearing none he called for adjournment. Trustee McLaughlin moved to adjourn, Trustee Drust seconded the motion and the motion passed unanimously on voice vote. The meeting adjourned at 9:44 pm.



Robert A. Symons, Mayor

Attest:



Janet L. Ray, Town Clerk

September 2, 2020