

RECORD OF PROCEEDINGS

TOWN OF YAMPA
MARCH 2, 2016
YAMPA TOWN HALL

BOARD MEMBERS PRESENT: Mayor Tom Yackey, Mayor Pro-Tem Mike Lewis,
Trustees Brian Ashley, Jeff Drust (arrived at 7:04 pm)
and Tom Estes

BOARD MEMBERS ABSENT: None

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

AUDIENCE PRESENT: Michael French

CALL TO ORDER

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

ROLL CALL

Board roll call was taken.

MINUTES

Consideration of approval of July 1, 2015 and August 5, 2015 minutes

Trustee Lewis moved to approve the July 1, 2015 and August 5, 2015 regular meeting minutes. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

AUDIENCE PARTICIPATION – NON-AGENDA ITEMS

None

AUDIENCE PARTICIPATION – SCHEDULED ITEMS

None

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OLD BUSINESS

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

Duckels pay request #7 was in town board and audience packets for review. There were no questions or concerns. The minutes from the February 2, 2016 construction meeting were at board seats and in the audience packet this evening. In regards to the Certificate of Substantial Completion, Mayor Yackey had signed off at the February 3, 2016 meeting. Duckels was not satisfied with the date of substantial completion being January 29, 2016; they wanted to use January 18, 2016. Following email discussions without resolution to the difference, a teleconference with Duckels, Civil Design Consultants (CDC), Mayor Yackey and Clerk Ray was held. Duckels finally accepted the substantial completion date of January 29, 2016. Tomorrow PWS Berry and CDC Engineer Mary Andre are meeting with John Nemcik from Colorado Department of Public Health and Environment (CDPHE) to tour the Water Treatment Facilities (WTF) and complete paperwork regarding the Disinfection Outreach and Verification Effort (DOVE). Mr. Nemcik will go through the water treatment plant and confirm that the disinfection procedure is as intended by the design and discuss the Record of Approved Water Works for the water treatment plant and the current Monthly Operating Reports (MORS). It was learned that Tawnya Reitz has left CDPHE and her replacement is Randi Johnson-Hufford. Clerk Ray reported that the Town has not received the invoice from Bob Maddox – Valuation Consultants for the infiltration gallery condemnation appraisal. There was a meeting on February 9 that included Dick Palmer, Tom Yackey, Randy Sackett, Bob Weiss and Janet Ray, where Mr. Palmer outlined his concerns with the transmission line easement documents. Mr. Palmer felt that the wording in the easement documents would allow the Town the right to put the transmission line anywhere on the property and Palmers want the line put as far to the east as possible to allow for building a residence on the remaining property if they ever chose to do so. The Town agreed to language that would put the transmission line and therefore the easement to the east side of the property. When the change was taken to surveyor, Skidge Moon, he did not think the Town could accommodate the language change as proposed due to the legal description he had to work with to create the easement. Following further discussion between Mr. Weiss and Mr. Moon, it appears that the issues have been resolved and Mr. Weiss can move forward with finalizing the documents.

Wastewater system improvements update and consideration of any needed changes or approvals

Clerk Ray had nothing new to report.

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

Clerk Ray reported that there is a teleconference scheduled for tomorrow and she does not have any new information for this meeting.

NEW BUSINESS

Consideration of Resolution 2016-03 – A resolution proclaiming the week of March 18-25, 2016 as agriculture week and March 23, 2016 as agriculture day in Yampa, Colorado

Trustee Lewis moved to adopt Resolution 2016-03 - a resolution proclaiming the week of March 18-25, 2016 as agriculture week and March 23, 2016 as agriculture day in Yampa, Colorado. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

Consideration of Resolution 2016-04 – A resolution to cancel April 5, 2016 election if on the nineteenth day before the election there are not more candidates than offices to be filled, including candidates filing affidavits of intent to be a write-in candidate

Clerk Ray reported that Michael French submitted a letter of intent to be a write-in candidate. At this time there are not more candidates than offices to be filled and if it remains that way through the close of business on the nineteenth day before the election, March 17, 2016, the Town Clerk acting as the designated election official can cancel the election. In order for the Clerk to cancel the election, the Town Board must first adopt a resolution to cancel. Trustee Lewis moved to adopt Resolution 2016-04 – a resolution to cancel the April 5, 2016 election if on the nineteenth day before the election there are not more candidates than offices to be filled, including candidates filing affidavits of intent to be a write-in candidate. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

Consideration of Centennial Bank certificate renewal

The certificate of deposit in the amount of \$121,150 will mature March 14, 2016. Clerk Ray reported that Deputy Clerk Phillips had researched rates. Two of the banks researched had rates higher than Centennial. The amount of interest that would be earned at the different rates were compared and it was discussed that by the time staff drove to the banks and did all of the paperwork to make the transfer, there was not enough increase to justify a move. Trustee Lewis moved to leave the certificate of deposit at Centennial Bank. Trustee Drust seconded the motion and the motion passed unanimously on voice vote. Notification was received that Centennial Bank is merging with Summit Bank and Trust and will be known as Centennial Bank and Trust. The past couple of years, Centennial has donated to the 4th of July celebration.

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Discussion and Consideration of next steps in making recommendation to Routt County Commissioners regarding Routt County Planning Commission candidates

The trustees stated that they would like to do interviews with Thorne Clark and Peter Flint, the two candidates who have applied to serve on the Routt County Planning Commission as Yampa's representative before making a recommendation to Routt County. Clerk Ray was instructed to set up interviews if the candidates and the town board schedules can mesh.

Consideration of approval of Owner/Architect contract for Crossan's rehabilitation

Clerk Ray noted that there was a change to the contract after it was included in the board packet. The change is on page 5 in the section regarding the The Secretary of the Interior's Standards for Treatment of Historic Properties. The sentence read "Work will be completed within the contract period as designated by the contract between the Historic Routt County and History Colorado. No work has been, nor will be performed outside of these dates." It now reads - "Work will be completed within the contract period as designated by the contract between the Historic Routt County (HRC) and History Colorado (HC) and between the Town of Yampa and the Colorado Department of Local Affairs. The Architect's services will be concluded September 30, 2016 and no charges will be incurred to the Town of Yampa following that date. Nevertheless, no work has been, nor will be performed outside of the HRC/HC contract dates." Trustee Drust moved to approve the contract between Town of Yampa and Mountain Architecture Design Group, P.C. with the above change. Trustee Lewis seconded the motion and the motion passed unanimously on voice vote.

PUBLIC WORKS DEPARTMENT

1988 Ford pickup repairs report

PWS Berry reported that the pickup had been taken to Lombardi's Service in Oak Creek, where they replaced the u-joints, clutch, starter and flywheel. The pickup is back in service.

Fire hydrant damage and repair report

PWS Berry reported that he spoke with a representative from the Mueller Company and the representative said that it was still possible to get a barrel for the damaged fire hydrant at Third Street and Roselawn Avenue, but that he would have to get a price, which he would then get to PWS Berry. PWS Berry said that he will also get the price for a replacement hydrant and see which would be the better deal.

Water testing results

The water testing results were at the town board members seats. They were reviewed and there were no questions or comments.

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Wastewater nutrient testing results

The wastewater nutrient testing results were in the town board and audience packets for review. There were no questions or comments.

2016 Colorado Rural Water Association (CRWA) conference report

PWS Berry's report was in the town board and audience packets for review.

On going work

PWS Berry said that he had been catching up on paperwork such as the monitoring plan. PWA Samuelson has been pushing back snow and doing some street maintenance. PWS Berry said that the streets have thawed quite a bit so maintaining them through mud season will be a challenge. The Mayor asked that the lights on the Christmas display on the town hall building be shut off.

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.

On going business

Clerk Ray reported that she continues to work on back minutes. Clerk Ray had a call from Routt County Chief Building Official Ben Grush regarding electronic review of plans. The name of the program is Blue Beam and there is online training available. There is not a fee involved to use the program. The Town will begin using the Blue Beam program for building plans review immediately. The bottled water the town has on hand is outdated and Clerk Ray asked if she could put a paragraph in the newsletter offering it to townspeople free of charge as we would not be able to use it if there were a break in the line. The board's response was yes. The Flat Tops Byway assessment has not been received. Clerk Ray spoke with Judy Walden who is preparing the assessment and she is behind, but should have the assessment to the Byway entities in the next few days. Clerk Ray did not have an update on the wayfinding signage project. Clerk Ray reported that Northwest Colorado Cultural Heritage Program's (NWCCHP) proposed Royal Hotel commemorative sign project has had some work done on verbiage for the sign, which has lead to questions regarding placement. Clerk Ray said that a location has not been determined, but that NWCCHP's Nancy Kramer, contact for the project, is aware of Yampa's sign code and the town board should be made aware of the placement prior to it happening. Clerk Ray reminded the town board that some time ago, she and Public Works Superintendent Berry were working on the cross-connection

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control policy, but it was not finished. There is new legislation regarding regulations for cross-connection controls so getting the policy in place has become a more critical issue so the Town is not in violation of the law. Mayor Yackey asked if the cross-connection at the elementary school had been alleviated and PWS Berry said it had. PWS Berry stated that he is checking on cross-connections on the system, even though there is not a written policy in place yet.

REPORTS OF COMMITTEES

Friends of Crossan's (FOC)

FOC President Jeff Drust reported that the wood and the ice house will need moved off the Crossan site when construction begins. The contract between Historic Routt County (HRC) and the Town of Yampa is still being prepared; as well as the contract between the contractor (Dobell) and Town of Yampa. Contractor Dobell says the bonding will not be a problem. The Town's insurance company is working on the builders' risk insurance.

MEETING REPORTS

None

SCHEDULE WORKSHOPS AND/OR SPECIAL MEETINGS

A special meeting will be held on Wednesday, March 16, 2016 to interview candidates for Routt County Planning Commission's Town of Yampa representative. If the candidates are not available that evening, an alternate date will be chosen. The request for comments from the Routt County Planning Department on the Secondary Dwelling Units can be discussed on March 16 as well. If other workshops or special meetings are needed, Mayor Yackey will call them.

BOARD MEMBERS AND AUDIENCE REQUESTS FOR AGENDA ITEMS FOR NEXT MEETING

None

READING OF CORRESPONDENCE AND REQUIRED ACTION IF ANY

Correspondence was circulated. None required action.

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REVIEW FINANCIALS, JANUARY/FEBRUARY METER READING REPORTS AND JANUARY/FEBRUARY INVOICES

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

CONSIDERATION OF MOVING TO EXECUTIVE SESSION PURSUANT TO §24-6-402(4)(A), C.R.S., TO DISCUSS THE PURCHASE, ACQUISITION, LEASE, TRANSFER, OR SALE OF ANY REAL, PERSONAL, OR OTHER PROPERTY INTEREST; SPECIFICALLY TO DISCUSS THE ACQUISITION OF THE INFILTRATION GALLERY PROPERTY WITH TOWN ATTORNEY BOB WEISS VIA CONFERENCE CALL

At 8:43 pm, Trustee Lewis moved to enter Executive Session, pursuant to §24-6-402(4)(a), C.R.S.), to discuss the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; specifically to discuss the acquisition of the infiltration gallery property with town attorney Bob Weiss via conference call. Trustee Drust seconded the motion and the motion passed unanimously on voice vote. Those present included the Town Board and Town Clerk Janet Ray.

The Executive Session adjourned at 9:28 pm and Trustee Lewis moved to return to the regular meeting. Trustee Drust seconded the motion and the motion passed unanimously on voice vote. No minutes or formal actions were taken during the executive session and Mayor Yackey stated that no decisions were made.


AUTHORIZATION FOR ATTORNEY WEISS TO SEND 121 LETTER TO BOBBY GEORGE, ET. AL

Trustee Lewis moved to authorize Attorney Weiss to send the 121 Letter to Robert G. George, Jr. (Bobby George), Marieta K. Nelson and Mountain Valley Bank. The 121 letter is the notice of intent to acquire property, specifically the land on which the infiltration gallery and related improvements of the Town's municipal water system is located.

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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 9:29 pm.



Thomas E. Yackey, Mayor



Janet L. Ray, Town Clerk

August 3, 2016