

Town of Yampa
Regular Meeting agenda
March 3, 2021

TOWN OF YAMPA
REGULAR MEETING AGENDA
March 3, 2021
7:00 P.M.

Due to the Covid-19 pandemic the Board of Trustees and the Town Board meeting will be hybrid in-person and virtual via *Go To Meeting*. Attendees are asked to attend virtually also with the following link to the GoToMeeting link or via the phone number below.

Town of Yampa Regular Meeting
Wed, Mar 3, 2021 6:30 PM - 11:30 PM (MST)

Please join my meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/312779013>

You can also dial in using your phone.
United States (Toll Free): 1 866 899 4679
United States: +1 (571) 317-3116

Access Code: 312-779-013

1. Call to order (5 minutes)
 - Roll call
 - Pledge of Allegiance
2. Audience participation – Non-agenda items
Five-minute time limit – presentation only-Board will render no decisions
3. Approval of Minutes
 - None
4. Audience participation –
 - Scheduled items (none)
5. Old Business (45 minutes)
 - Regional Solar Planning for Peak Power Shaving and Net Metering (old town hall/EMS building and wastewater treatment plant) update (5 minutes)
 - Regional Solar Utility Planning Project (regional solar array) update (5 minutes)
 - Geilert Fence Damage estimate for repairs (5 minutes)
 - Estimate and information in packet

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- Employee On-Call policy discussion and possible adoption (30 minutes)
 - On-Call information in packet
 - Employers Council information for On-Call procedures and policies in packet
- COVID-19 update (1 minute)
- 6. New Business (15 minutes)
 - Consideration for approval for the Mayor to sign the Letter of Support to the South Routt Library District to for a grant to improve their Oak Creek Library. (2 minutes)
 - Town Clerk Symons 6-month review (10 minutes)
- 7. Public Works Department update (20 minutes)
 - Greg Samuelson update
 - Ben Mitchell update
 - Scott Smith updates
 - Communication in packet
- 8. Clerk's review of possible code violations and required action (if any) and report of on-going business (5 minutes)
- 9. Reports of Committees
 - None at this time
- 10. Meeting Reports
- 11. Schedule meetings and/or workshops (5 minutes)
- 12. Board Members and audience requests for agenda items for next meeting (5 minutes)
- 13. Reading of Correspondence and required action if any
- 14. Review February financials (in packet), February meter reading report (emailed to Town Board), and February invoices/vouchers (5 minutes)
- 15. Reading and Payment of Bills (5 minutes)
- 16. Adjournment

AGENDA SUBJECT TO CHANGE 24-HOURS BEFORE SCHEDULED MEETING AUDIENCE
PACKET AVAILABLE FOR REVIEW BEFORE THE MEETING



Geilert Fence

1 message

Wed, Feb 10, 2021 at 1:36 PM

slap3gs <slap3gs@gmail.com>
To: Town of Yampa Clerk <clerk@townofyampa.com>

Hi Sheila,
Here is the invoice for supplies and Phil's time and labor costs. Let me know if you need anything else.
Thanks,
Stacey Geilert

Sent from my Galaxy

Alpine
1000 First Street, Suite 200
Steamboat, CO 80487

Steamboat
P.O. Box 80487
1000 First Street, Suite 200
Steamboat Springs, CO 80487

Job: STEAMBOAT FENCE

Item #	Quantity	Description	Unit Price	Amount
1	1	STEAMBOAT FENCE	110.00	110.00
2	1	STEAMBOAT FENCE	110.00	110.00
3	1	STEAMBOAT FENCE	110.00	110.00
4	1	STEAMBOAT FENCE	110.00	110.00
5	1	STEAMBOAT FENCE	110.00	110.00
6	1	STEAMBOAT FENCE	110.00	110.00
7	1	STEAMBOAT FENCE	110.00	110.00
8	1	STEAMBOAT FENCE	110.00	110.00
9	1	STEAMBOAT FENCE	110.00	110.00
10	1	STEAMBOAT FENCE	110.00	110.00
11	1	STEAMBOAT FENCE	110.00	110.00
12	1	STEAMBOAT FENCE	110.00	110.00
13	1	STEAMBOAT FENCE	110.00	110.00
14	1	STEAMBOAT FENCE	110.00	110.00
15	1	STEAMBOAT FENCE	110.00	110.00
16	1	STEAMBOAT FENCE	110.00	110.00
17	1	STEAMBOAT FENCE	110.00	110.00
18	1	STEAMBOAT FENCE	110.00	110.00
19	1	STEAMBOAT FENCE	110.00	110.00
20	1	STEAMBOAT FENCE	110.00	110.00
21	1	STEAMBOAT FENCE	110.00	110.00
22	1	STEAMBOAT FENCE	110.00	110.00
23	1	STEAMBOAT FENCE	110.00	110.00
24	1	STEAMBOAT FENCE	110.00	110.00
25	1	STEAMBOAT FENCE	110.00	110.00
26	1	STEAMBOAT FENCE	110.00	110.00
27	1	STEAMBOAT FENCE	110.00	110.00
28	1	STEAMBOAT FENCE	110.00	110.00
29	1	STEAMBOAT FENCE	110.00	110.00
30	1	STEAMBOAT FENCE	110.00	110.00
31	1	STEAMBOAT FENCE	110.00	110.00
32	1	STEAMBOAT FENCE	110.00	110.00
33	1	STEAMBOAT FENCE	110.00	110.00
34	1	STEAMBOAT FENCE	110.00	110.00
35	1	STEAMBOAT FENCE	110.00	110.00
36	1	STEAMBOAT FENCE	110.00	110.00
37	1	STEAMBOAT FENCE	110.00	110.00
38	1	STEAMBOAT FENCE	110.00	110.00
39	1	STEAMBOAT FENCE	110.00	110.00
40	1	STEAMBOAT FENCE	110.00	110.00
41	1	STEAMBOAT FENCE	110.00	110.00
42	1	STEAMBOAT FENCE	110.00	110.00
43	1	STEAMBOAT FENCE	110.00	110.00
44	1	STEAMBOAT FENCE	110.00	110.00
45	1	STEAMBOAT FENCE	110.00	110.00
46	1	STEAMBOAT FENCE	110.00	110.00
47	1	STEAMBOAT FENCE	110.00	110.00
48	1	STEAMBOAT FENCE	110.00	110.00
49	1	STEAMBOAT FENCE	110.00	110.00
50	1	STEAMBOAT FENCE	110.00	110.00

Merchandise: 220.00
Delivery Charge: 1.00
Tax: 2.00
New Task Order: 2.00
Total: 225.00

CUSTOMER SIGNATURE X

February 9, 2021 10:02:16 AM

Time + Labor
6 hours
\$40 per hour
\$240

Phil prefers to do the work on his own.
Total with supplies
\$294.33
\$240.00
\$534.33



Steamboat
 P. O. Box 88084
 1090 Pine Grove Road Ste 2
 Steamboat Springs, CO 80481

Quoted to:
 STEAMBOAT CASH
 CO

Job:
 STEAMBOAT CASH
 CO

QUANTITY	ORDER NUMBER	DATE	TERMS	DATE ORDERED	QUANTITY	EXPIRES DATE
	21032231	CASH		01/02/21	225	02/17/21
REQ	CHECKED	UM	DESCRIPTION	ITEM NUMBER	PRICE	AMOUNT
			**** QUOTE ****			
20		EA	181-67-87 CEDAR POG-18K PICKET	1820	5.510	110.20
1		EA	181-107-25 ACQ TREATED POUCH	18235	122.000 /POB	122.00
		EA	216-12-013 P18 TREATED 20P	18233	1521.140 /POB	1521.14
		EA	COMPOSITE P18 104 20G	18232	7.250	72.50
		EA	276-24-0522 STAR CRETE	181878	57.530	575.30
		EA	PLATE 181878 0522 622			

This is an estimate only. Alpine agrees only to furnish the items listed at the prices shown the period of time shown above. Buyer is responsible for verification of quantities and of materials necessary to complete the work. Special ordered items are not available. All Dealings and Purchases shall be subject to the Terms and Conditions set on the last page of this Estimate.

Merchandise	225.
Delivery Charge	0.
Tax	0.000
CO/Source/Steamboat f	22.
Non Taxable Other	0.
Total	225.

CUSTOMER SIGNATURE X

Time + Labor
6 hours
\$40 per hour

\$240

Phil prefers to do the
work on his own.

Total with supplies
\$294.33
+ 240.00

\$534.33

On Call Policy

- Hours for all Part-Time and Full-Time employees that are scheduled on-call are considered only during non-operating business hours.
 - This would be Monday after shift during non-operating business hours to Monday beginning of shift during non-operating business hours.
 - This is calculated as 123 hours per week PW would be on-call. 15 hours per week day (75 hours total 5 days a weekday) and 24 hours per weekend day (48 hours total 2 days a weekend).
 - At \$5.00 per hour that is \$615.00 per week.
- If called out for an on-call service, on-call pay will be omitted. Regular hourly wage will then be obtained if 40 hours or less physically worked or one and one-half times hourly wage if over 40 hours physically worked.
- Employer Council On-Call information in packet
 - Time paid if called out for an on-call service is 1 hour minimum?
 - Response time if a call happens and attention is needed?
 - If a resident has an after-hours need – who do they call for assistance?
 - What would be considered as duties for on-call service?
 - For Road and Bridge – plowing: How much snow do we need to get to make it considered on-call?
 - For Water/Sewer – Are all water/sewer after hour calls considered need for Public Works to come in to take care of? Should Water/Sewer be at the PW employee discretion if it can wait until next day?
- Flex Time – 123 hours a week for all on-call time. Calculated by 15 hours every week day and 24 hours every weekend day. (maybe think about not using this) – it could be pretty complicated
 - $123 \text{ hours per week on average } (123 \text{ hours} \times \$5.00 \text{ per hour pay}) = \$615.00 / \$25.50 = 24 \text{ hours per week eligible for Flex Time for Public Works Department employees. The use of Flex time would only if all duties are taken care of by Flex time employee or another employee in Public Works.}$
- It is recommended to cap Flex time to a certain amount of time. Maybe 8 hours Flex Time per week on-call? The additional hours would be paid as on-call time.

- This calculation of hours is in general – counting on a 7 day week in full for the month.

- Flex time must be used by the end of the current month. Meaning whoever works the 1st and 3rd week of the month for on-call – they would be eligible for flex time on the 2nd or 4th week of the month. Whoever works the 2nd and 4th week of the month for on-call – they would only be eligible the 3rd week of the month since they would not have accrued the on-call time hours until then. This would rotate as it is one week on and one week off.

This is not a contract. This is part of the Town of Yampa employee policy and is subject to change at anytime.

DRAFT



FYI

Hours Worked **WAGE AND HOUR**

Revised: February 2021

Summary:

Employees covered by the Fair Labor Standards Act (FLSA) must be paid for all "hours worked" in the workweek unless exempted. It has generally been held that "hours worked" includes all the time during which an employee is required to be on the employer's premises, on duty, or at any other prescribed place of work. This FYI discusses how to determine hours worked under the FLSA for nonexempt employees in the following circumstances: on-duty and off-duty time, rest and meal time, on-call time, sleeping time, preliminary and postliminary work, unauthorized work, and other miscellaneous considerations.

For additional resources, please see page 7.

Important Notice:

The information provided herein is general in nature and designed to serve as a guide to understanding. These materials are not to be construed as the rendering of legal or management advice. If the reader has a specific need or problem, the services of a competent professional should be sought to address the particular situation.

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reported engaging in work while eating at their desks. To avoid this, some employers have rules that employees must leave their work area during unpaid meal periods.

4. Time spent at meals while on business trips generally is not compensable time; however, if the employee works during this meal (e.g. entertaining customers), such time is compensable.
- C. According to the DOL, rest periods of short duration - from five minutes to twenty minutes - must be counted as hours of work. Hence, coffee breaks, smoke breaks, and other short breaks typically must be compensated. Some employees want to hold their rest period to the end of the day so they may leave work early. Such a practice is not governed by the FLSA and the employer may decide whether such a practice is workable for its operational needs. Under the FLSA, if an employee does not take a break, the employer is not required to pay extra for the time (e.g., ten minutes) nor is the employer required to allow the employee to leave work early.

Note: Some states may require that rest breaks be taken at certain intervals. For example, the Colorado Overtime and Minimum Pay Standards (COMPS) Order requires that, to the extent practical, rest periods should be in the middle of each four-hour shift, and meal breaks should not be within the first or last hour of an employee's shift. Certain agreements between the employer and the employee permit additional compliant scheduling of paid rest periods. Additionally, Colorado's enforcement guidelines suggest that if an employee skips an otherwise paid rest period, through the employee's fault or that of the employer, the additional 10 minutes of paid time must be added to the employee's compensation, strongly encouraging employers to enforce mandatory rest periods during applicable shifts.

IV. On-call Time

- A. Employees who are required to remain on call on the employer's premises, or so close that they are not able to use their time effectively for their own purposes, are working while "on call." Such time is hours worked and compensable.
- B. The courts typically focus on two broad issues to determine whether on-call time is compensable: (i) whether the parties had an agreement regarding the compensability of the on-call time, and (ii) whether the employees had sufficient freedom while on call to pursue personal activities.
- C. The freedom to pursue personal interests includes everyday activities such as shopping, going to dinner, entertaining guests, and exercising. The employer is not required to have a policy so loose that it allows the on-call employee to travel out of town indiscriminately. Further, reasonable restrictions on on-call time are appropriate, e.g., requiring an employee to refrain from consuming alcohol or other intoxicating substances.
- D. The time which an employee is required to wear a pager, even with a restriction on the pager's range (e.g., 30 miles), generally is not found to be so restricted to make the time compensable.

E. To support a finding of non-compensable on-call time, employers should give consideration to the following:

1. Provide on-call employees with radios, beepers, or cell phones.
2. Permit on-call employees to handle calls over the phone, if possible, as opposed to requiring their physical return to work. Note that the employee's work-related phone call, however, is compensable hours worked.
3. If on-call employees are required to return to work, give them a reasonable period of time within which to respond. Not doing so could result in the on-call time being too restrictive and, therefore, compensable.
4. Allow on-call employees the opportunity to decline a certain number of calls, or to swap or trade calls with colleagues.
5. On-call employees should be disciplined only for relatively serious abuses of the policy.
6. Provide employees with as much advance notice of their on-call duty as possible.
7. Publish the terms and conditions of the on-call policy in a written and widely-distributed document.

V. Sleeping Time

A. Sleeping Time for Less Than 24-hour Tours of Duty

If an employee's regular work schedule is less than 24 hours, periods during which he or she is permitted to sleep are compensable working time, as long as he or she is on duty and must work when required.

B. Sleeping Time for Round-the-Clock Duty

The general rule is that, where an employee's regular work schedule is 24 hours or longer, up to eight hours of sleeping time can be excluded from compensable working time if:

1. An expressed or implied agreement excluding sleeping times exists.
2. Adequate sleeping facilities are furnished by the employer.
3. The employee can usually enjoy an "uninterrupted night's sleep" of at least five consecutive hours during the scheduled sleeping periods.
4. Interruptions to perform duties are considered hours worked.

There must be a voluntary agreement between the employer and employee to exclude sleep time; without an agreement, the sleep time will be counted as hours worked.

C. Sleeping Time for Employees Residing on Employer's Premises

Town or City	On-Call hours	On-Call pay	Total Per Year	Yampa savings if this policy is used	Response Time	Notes
			\$31,980 total for Public	n/a	?	This is calculated at 52 weeks a year 365 days a year. From close of business to open of business week days and 24 hours on weekend days.
Yampa	6396 per year	\$5.00 per on call hour	Works per year n/a	Savings of \$7,800.00 total for Public	?	If an employee is called out during non-work hours, he/she is paid one and one-half time his regular rate for any hours worked in excess of 40.
Oak Creek	n/a	\$150.00 per week	Works per year	\$24,180.00 per year	?	
	one hour per day on call at one and one-half time of their regular	Calculating at Yampa PW pay \$38.25 per each day on call	\$13,961.25 total for Public	Savings of \$18018.75 per year	?	All Steamboat employees for Public Works are on-call every day of the year. There is no rotation.
Steamboat	rate	\$3.00 per on-call hour	Works per year \$19,188 total for Public	Savings of \$12,792.00 per year	?	
Route						
County	n/a	hour	Works per year	Savings of \$9100.00 total for Public	30 minutes	Flex time is calculated by dividing the \$175.00 weekly pay by the hourly rate. The on-call hours are not provided for the Town of Trinidad. If PW is called in for an emergency they pay (2) times the employee's regular rate of pay and shall be documented on their time sheet, with a one-hour minimum call in time.
Trinidad	n/a	per week	Works per year	Savings of \$175.00 per week		
Frederick	one week rotations	\$2.00 per on call hour	Works per year year	Savings of \$12,792.00 total for Public	1 hour	This is actually how they pay their police department. It falls more in line for how our Public Works Department is. For Public Works they receive one day of pay off work that must be used by their next on-call assignment. This could be hard for Yampa's 2 person team.
Calhan	one week rotations	\$75.00 per week	Works per year year	Savings of \$3,900 total for Public		

Hudson	n/a	n/a	n/a	n/a	n/a	They do not specify their pay. It is a payment in addition to their salary determined by the Town.
Cokedale	n/a	paid with Flex Time	n/a	n/a	n/a	They are salaried and compensate for Overtime with Flex Time.



Letter of support for DOLA grant

1 message

Wed, Feb 10, 2021 at 12:35 PM

Deborah Curtis <southrouttlibrarydistrict@gmail.com>
To: Town of Yampa Clerk <clerk@townofyampa.com>

Hi Sheila,

I wanted to get the following to Jeff Drust who is your current mayor. Could you talk to him about this and possibly write a letter for his signature, if he agrees? I can also text him about what I have sent you.

I wanted to ask for a letter of support for the Oak Creek Public Library's grant application for an Energy and Mineral Impact Grant that I will submit on 3/1/21. As you probably know, we have outgrown our space at the community center in Oak Creek that houses our library. We would like to get this matching grant in order to purchase the Let's Dance Studio in Oak Creek. It would give us a lot more space for our 9,000+ materials, furniture and programming/study areas for patrons, as well as being able to have more funding for our budget with the ability to lease the office space on the second floor.

Our budget has had a severe decrease--in 2012, we had \$144,900 from taxes collected in Routt County; our budget this year from that source is projected to be \$105,700. This resulted mainly in the decreased production of the Twentymille Coal Mine and eventual closure in 2025. There are also decreases due to Tabor and Gallagher amendments after the recession of 2008 with the decrease in property taxes and not being able to get the funding back due to Tabor and Gallagher.

The visibility and accessibility would be invaluable on Main Street in Oak Creek. Plus I'm sure you will agree that the libraries are a supportive and important partner in South Routt.

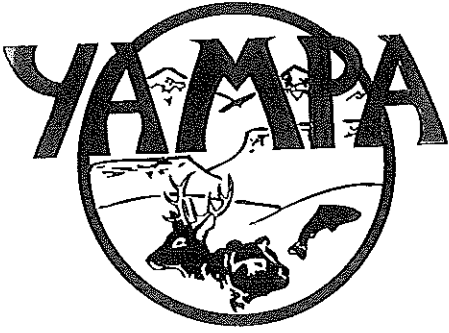
These are basically the talking points for this letter.

Thank you for your consideration.

Debbie Curtis
Library Manager
South Routt Library District
970-736-8371

*Sent email
to Board
for OK **

*Will add to
March Agenda
for motion*



Town of Yampa
56 Lincoln Street
P.O. Box 224
Yampa, CO 80483
970-638-4511
Fax 970-638-1085

February 17, 2021

Re: Energy and Mineral Impact Grant

Dear Sir or Madam:

The Town of Yampa, Colorado is writing in support of the Energy and Mineral Impact Grant application that the Oak Creek Public Library is applying for to make improvements to the Library in Oak Creek, Colorado. Their budget has severely decreased by economic hardships in our county over the years. That has impeded any extra funds for the many improvements to our library district in the South Routt area of Routt County. They have outgrown their space and have found a possible new one in Oak Creek that would allow for more room for their 9,000+ materials, furniture and programming/study areas for patrons, as well as being able to have more funding for their budget with the ability to lease the office space on a separate floor. Even with all those improvements it would also give them visibility and accessibility being as it is right on the main street of the town.

The Town of Yampa would be grateful for any consideration to extend this grant to them to assist the residents of our whole county as they are a very valuable asset to our community.

Thank you for this opportunity.

Sincerely,

Jeffrey Drust
Mayor of Yampa



Town of Yampa Clerk <clerk@townofyampa.com>

Wastewater Permit and Water SCADA system

1 message

Wed, Feb 24, 2021 at 9:36 AM

scott smith <jjdssmith@yahoo.com>
To: Town of Yampa Clerk <clerk@townofyampa.com>

Good morning Sheryl

I am submitting an email to direct attention to some challenges that I see in the future. The Town has just received a new permit for the Wastewater system. The Plant can easily comply with the ammonia limits until 2025. Beginning on September of 2025, the effluent standards are reduced for ammonia at 32 mg/l for each month of the year. During the winter months, as the plant is now, I highly doubt that we could meet these limits. I would strongly recommend that the Town continues to pursue engineering and design for future requirements and have them implemented by 2025.

Also I would like to draw attention to the water plant programming and SCADA system. The operation of the plant needs to have a change in the programming. Currently the computer tells the booster pumps to turn on simultaneously so that both pumps come on at full output. This blasts the filters with high volume and high pressure. The filters are torn apart and have to be replaced too frequently. I suggest that a new program be installed where the call of water requires only one pump to turn on and if needed volume and pressure, the second pump turns on. The SCADA system needs to be revamped. It does NOT work. The idea of a SCADA program is to operate and record data for the plant. Several times during the year, the system stops recording the turbidity and chlorine and there is no data so I can fill out the MORs. Eric had another program working that I am able to access to get the information, but that defeats the purpose of a SCADA system. My suggestion is either, get it to work or purchase a chart recorder that can continually monitor the chlorine and turbidity. Personally, I recommend the chart recorder and keep things simple.

Respectfully submitted,
Scott



New Discharge Permint

1 message

Thu, Feb 11, 2021 at 10:43 AM

scott smith <jjdssmith@yahoo.com>
To: Town of Yampa Clerk <clerk@townofyampa.com>

Hello Sheila,

I have attached the new permit for the wastewater plant. The permit is pretty much the same until the fall of 2025. The ammonia limits required in 2025, the plant will be unable to comply with. The Town will still have to pursue engineering to make modifications to come into compliance. I know the Town already had some engineers working on this.

The Water plant needs to have some reprogramming done to it. The way the plant runs now is causing the filters to get blown apart. It shouldn't take to much, but CDC needs to communicate with Brown's Hill so the necessary changes can be made on the PLC. Also, it would be good at the same time to have both parties go through the alarms and determine what exactly is important to have a call-out.

As mentioned with our conversation. I would like to have Marcus Dudoit calibrate the two flow meters at the wastewater plant. He is doing the same thing at Phippsburg and Oak Creek.

Thanks,

Scott

----- Forwarded Message -----

From: Jessop - CDPHE, Debbie <debbie.jessop@state.co.us>
To: "jray@townofyampa.com" <jray@townofyampa.com>; "jkdssmith@yahoo.com" <jkdssmith@yahoo.com>; Nora Phillips <nphillips@townofyampa.com>
Sent: Friday, January 29, 2021, 10:16:14 AM MST
Subject: CO0030635 Issuance

Your permit has been issued today. Your documents are attached for your convenience.

Debbie Jessop
Technical Support Work Group Lead
Permits Unit



Cell 720-254-1308
P 303.692.3517 Press 0 for Immediate assistance
4300 Cherry Creek Dr S B2
Denver CO 80246
debbie.jessop@state.co.us www.coloradowaterpermits.com

24-hr Environmental Release/Incident Report Line: 1.877.518.5608
Total Coliform Positive: 303.692.3308

3 attachments

CO0030635 \$ From WQCD - Permittee Notification \$ 1-29-21 \$ A.pdf
136K