

**RECORD OF PROCEEDINGS**

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TOWN OF YAMPA  
MARCH 4, 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: None

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 September 4, 2019 regular meeting minutes, October 2, 2019 regular meeting minutes, October 9, 2019 special meeting minutes, and October 16, 2019 special meeting minutes

Trustee Lewis moved to approve the September 4, 2019 regular meeting minutes, October 2, 2019 regular meeting minutes, October 9, 2019 special meeting minutes, and October 16, 2019 special meeting minutes. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

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Audience participation – Non-agenda items

None

Audience participation – Scheduled items

None

Old Business

Water system improvements update and consideration of any needed approvals including consideration of Scott Contracting release and partial payment of retainage and revegetation of hay meadow

Clerk Ray reported that Scott Contracting has requested a release and partial payment of the retainage that the Town of Yampa has control over. She spoke with Randi Johnson-Hufford, the project manager at Colorado Department of Public Health and Environment (CDPHE) and Ms. Johnson-Hufford said that CDPHE was okay with the release if Town of Yampa was satisfied with the work. The Town Board speculated at how much rock cleanup was left when the snow began to fall last year and no one from the Board nor employees had seen the work area to give a report. Clerk Ray stated that she did not believe Matt Mielke with Civil Design Consultants had seen it either. The amount that Scott Contracting was asking to be release is \$20,809.60, which is 3.5% of the 5% retainage leaving 1.5% retainage of \$8,918.40. The Board decided that there would be sufficient funds remaining to cover any further rock clean up and revegetation. Trustee Lewis moved to release and pay \$20,809.60 of the retainage. Trustee McLaughlin seconded the motion and the motion passed unanimously on voice vote. Bobby George provided the information for the seed mix he wanted used for the revegetation of the meadow and Clerk Ray had passed the information along to Matt Mielke at CDC to give to Scott Contracting.

Wastewater system improvements update and consideration of any needed approvals including Small Communities Grant 16 FAAA 09330 extension request

Clerk Ray reported that the wastewater system improvements grant expires the end of March 2020. Randi-Johnson Hufford, CDPHE, is putting together an extension request to the end of March 2021, which will need signed before the next regular town board meeting. Clerk Ray requested approval of the Mayor signing the extension request when it is received. Trustee Lewis moved to approve signing the Small Communities Grant 16 FAAA 09330 extension request when it is received. Trustee Drust seconded the motion and the motion passed unanimously on voice vote. Clerk Ray noted that she would circulate the extension request paperwork via email to the town board members prior to returning it to CDPHE.

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Clerk Ray reported that she had talked to Operator In Responsible Charge (ORC) Scott Smith regarding what strategy he would pursue first for improvements to the wastewater plant. Mr. Smith said that he thought having the aerators operating 24/7 had the potential to alleviate the ammonia violation. He also said that he did not think the plant needed new aerators at this time. He suggested that sludge removal would probably be his first recommendation. Clerk Ray said she would follow up with Greg Winkler at Department of Local Affairs (DOLA), the Colorado Department of Public Health and Environment (CDPHE) and Civil Design Consultants (CDC) to get the design and plans in place for sludge removal.

### Public Works Superintendent job opening

Clerk Ray reported that she moved items around in the job description, giving less importance to obtaining the water and wastewater licenses. PWA Samuelson said he did not think there was enough emphasis put on mechanical skills so that was reworded. Clerk Ray stated that she had sent the revised job description to the Board via email and no one came back with further changes so Assistant Clerk (AC) O'Halloran re-advertised the job opening today for one month ending on April 1, 2020.

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

The kickoff meeting with McKinstry, the company putting together the plan, was held this afternoon. McKinstry requested the as-builts and information about the old town hall roof. Clerk Ray said she had not been able to locate the plans for the old town hall, but will continue looking. AC O'Halloran printed google maps of both the town hall and wastewater plant, which were sent to McKinstry. McKinstry will do a preliminary review of the projects to determine if they are feasible to move forward.

For the Regional Solar Utility Planning Project, a company by the name of Ameresco was chosen to prepare the plan. No further meetings have been scheduled.

### Municipal election update

Clerk Ray reminded the board and audience that, with the current situation, the board that takes office in May will consist of three people, which is a quorum, but if someone were unable to attend, there would not be a quorum and a meeting could not be held. 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.

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### New Business

#### Consideration of signing special use permit for use of National Forest System lands encompassed by 3<sup>rd</sup> Street in Yampa, CO

The special use permit that allows the Town to use the National Forest System lands encompassed by 3<sup>rd</sup> Street was available for review. Following discussion, Trustee Lewis moved to sign the special use permit so the Town could continue to use 3rd Street for travel and water/sewer lines. Trustee Drust seconded the motion and the motion passed unanimously on voice vote. The permit expires at midnight on December 31, 2024.

### Stillwater Ditch Amendment

The Amendment to the Assignment of Stock and Water Delivery Agreement between Upper Yampa Water Conservancy District, Stillwater Ditch and Reservoirs Company, and various individuals and entities including Town of Yampa had been previously reviewed by the town board. Clerk Ray verified that there had been a few minor corrections to the amendment, but overall remained the same document previously reviewed. Trustee Lewis moved to approve the amendment as presented. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

### Clerk's office personnel

Clerk Ray reported to the board that AC Kasey O'Halloran has notified the town that she cannot continue as Assistant Clerk because of obligations and changes to her life. With that development, Clerk Ray explained to the board that she thought it was time for her to retire and to advertise the town clerk position. She would be looking at early October at the earliest. She also noted that the Town Clerk/Treasurer job description needs an update as there have been no changes since the early 1990's. She will begin working on the update when possible. She can be available after a new clerk is hired as needed.

### Public Works Department

#### CDPHE Compliance Advisory – Reported Effluent Violation

Clerk Ray reported that ORC Smith had responded to CDPHE regarding the compliance advisory letter - reported effluent violation, dated February 14, 2020 as required.

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Private party snowplowing into/across town streets and alleys

PWA Samuelson reported that he was having problems with where some private snowplow drivers were leaving snow. One is the snow from Bill Ager's property at 158 Moffat Avenue which has been pushed into and across Moffat Avenue to the center of the roadway. The second is Bill Northrop pushing snow from the alley between Third and Fourth streets, east of his property on Main Street, across Fourth Street and leaving a berm. Letters to both will be sent outlining the problem and explaining that they need to stop the practice.

Ongoing work -- including Public Works training manual progress report

PWA Samuelson reported that he had worked on pushing snow back on the streets and graded the streets that were dry. On March 20th, power went out at the water plant and the generator did not come on; it looked like the coolant heater went bad. He spoke with Rocky Mountain Cummins' parts department to identify the right model number and serial number to order the correct part. Rocky Mountain Cummins would like to do have a service contract with the Town on the generator and then they could come to Yampa to service it. PWA Samuelson has been repairing water meters that do not work. Access to some meter readouts has become problematic. Some people have not been keeping a path shoveled to the readout and some dogs are a problem. It was discussed that most people are not aware of the ordinance that states that readouts must be kept accessible. Educating people through the newsletter would be a good start. Deputy Clerk Phillips stated that in some instances, the resident takes a picture of the reading and sends it to her. It was decided that in addition to the newsletter, individual letters can be sent to residents if needed. Trustee Lewis said that Joe DeHerrera had requested the Town consider relocating his readout. PWA Samuelson said he was going to start pulling out the fourth aerator at the wastewater plant and needed to talk to Jeff Drust about electrical needs at the plant. Mayor Symons reported that he had received several comments regarding the good job of snowplowing PWA Samuelson had done this winter. PWA Samuelson reported that at the Don Asta property at 385 Roselawn, there is a down spout on the garage in the alley that sticks out in the alley that he hit with the grader. It needs moved. PWA Samuelson said that the Town should send Gene Sanders a thank you for the time he spent cleaning out fire hydrants.

Clerk Ray explained to the Board that ORC Smith had spoken to her regarding purchasing a new flow meter at an approximate cost of \$2,780. The Town has also received calls from tank cleaning companies and Clerk Ray has learned that 2020 would be the year that the water tanks should be cleaned and inspected, but that it was not a budgeted item. Browns-Hill was here in an effort to make the Scada system work properly; however, Mr. Smith said it is again not functioning properly. Clerk Ray requested that Mr. Smith telephone Jim Steiner with Browns-Hill and talk through the issues before requesting that he make an in-

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person visit. The bottom line is that Clerk Ray and DC Phillips need to work on the budget some before the Board can decide what needs done now and what might wait.

It was noted that no further work has been done on the Public Works training manual.

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.

Clerk's report of on-going business

Clerk Ray said she has been working on getting up to date with the minutes and AC O'Halloran has been working on Public Works Department business. There have been more problems with the elevator not working and we called for servicing on February 27<sup>th</sup>. PWA Samuelson and DC Phillips have looked at it and believe the problem is that the building has shifted. The roof has not been shoveled and Trustee Ashley thinks the weight from the snow could be causing the problems with the elevator. DC Phillips explained that the outside North door is not opening and closing properly. This is critical because it is the handicap access. Trustee Ashley will look at the door and determine what needs done to repair it. Clerk Ray asked permission to hang some of the pictures and plaques the Town has in the meeting room; the Board approved. Trustee Drust asked about the Stephen H. Hart and Governor's award for the Crossan building. It was thought that it would be better to put them on the first floor so more people can see them. The next planning meeting for the Smithsonian Exhibit is April 9, 6:00 pm, Crossan building. The 4<sup>th</sup> of July committee meeting is March 31, 2020, 7:00, Crossan building. JDW did a walk through yesterday and will prepare an estimate for heating the town shop with propane. We already have the estimate for heating with electricity, but we need to do a comparison of both. Work continues setting up the debit/credit card system. AC O'Halloran finished the Health Reimbursement Arrangement (HRA) privacy policy draft and Clerk Ray will try to finish preparation of the document for consideration at the April meeting. Trustee Drust reported that the flagpole light has been damaged for the second time. He believes it is getting hit when ice is coming off the roof. He will try to fix it in a manner that is less susceptible to damage.

DC Phillips discussed the high usage on water/sewer account #307-Fuller in Huffstetler Trailer Court. It appears there is a leak after the meter and Ms. Fuller has indicated that she has had people look for it, but it is not evident. The account is 3 months behind on payment. She has indicated that she wants Town personnel to find the leak. The Town Board reiterated that it is not the job of Town personnel to locate and fix the leak. Following the Board's discussion, it was stated that Ms. Fuller will be given notice that she has until March

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16<sup>th</sup> to pay the amount owed of \$523.32 and if not paid, the water will be shut off per Town ordinance.

### Reports of Committees

#### Climate Action Plan Committee

Trustee Ashley followed up on the “Our Climate Opportunity” meeting that he reported on at the February town board meeting by stating that a Climate Action Plan Committee has been formed. He has been asked to continue on the committee and he wanted to know that he had Town of Yampa’s permission to represent the town on the committee. The board agreed that they would like him to represent Yampa on the committee and he will give progress reports to the Town periodically. A company by the name of Lotus Engineering has been tasked with developing some workable solutions to the greenhouse gases problem and the committee will oversee the project.

### Meeting Reports

#### Northwest Transportation Planning Region (NWTPR)

Clerk Ray passed around information from the meeting.

#### Schedule Workshops and/or Special Meetings

No workshops or special meetings were scheduled at this time.

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

None

#### Reading of Correspondence and required action if any

There is a “Transition from Coal” meeting in Hayden on March 6<sup>th</sup>. Mayor Symons said he would try to attend. DC Phillips mentioned an email regarding a meeting with a gentleman from AT&T First Net regarding technology opportunities on March 13. Clerk Ray said she would forward the email to town board members tomorrow. There was no other correspondence that required town board action.

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

February financials, minus the trial balance, were in town board and audience packets for review. The February meter reading report and the February 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 McLaughlin 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 10:02 pm.

  
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Robert A. Symons, Mayor

Attest:

  
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Janet L. Ray, Town Clerk

September 2, 2020