

**RECORD OF PROCEEDINGS**

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TOWN OF YAMPA  
MAY 4, 2016  
YAMPA TOWN HALL

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

BOARD MEMBERS ABSENT: None

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

AUDIENCE PRESENT: Noreen Moore and Valerie Stothart

CALL TO ORDER

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

ROLL CALL

Board roll call was taken.

MINUTES

None

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 construction meeting minutes were discussion and PWS Berry answered questions regarding the minutes. Clerk Ray stated that Duckels pay request #9 was at town board seats

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for review. Following review and discussion, Trustee Lewis moved that Duckels pay request #9 be approved. Trustee Drust seconded the motion and the motion passed unanimously on voice vote. PWS Berry reported that Browns Hill did some additional programming at the Water Treatment Facility for the chemical feed pumps. Mayor Yackey asked if the Town got written approval or at least an email from Mr. Snyder approving the reshaping of the road from Watson Creek Trail to the tank site? PWS Berry said he got verbal approval, but would follow up for an email. Clerk Ray reported Attorney Weiss still needs to revise the Palmer easement agreement. The Notice of Intent to Acquire has not yet been sent to Mr. George and Ms. Nelson for the infiltration gallery property.

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

Clerk Ray reported that Randy Sackett, Civil Design Consultants (CDC) has to confer with a sub-consultant from Stantec regarding the schedule for the project and the sub-consultant is on vacation and unavailable at this time. Mr. Sackett will send Colorado Department of Public Health and Environment (CDPHE) comments as soon as possible after his discussion with Stantec. Following the submittal of the comments to CDPHE and their approval, they should send the Town the paperwork to sign. After the Town signs the paperwork and it circulates to the various CDPHE departments and the Town gets the fully executed copy back, the work that the grant will pay for can begin.

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

Clerk Ray reported that the last teleconference call with state, county, and town was April 25, 2016. The State Attorney General's office mailed the cease & desist order (order) on April 15, 2016, a copy of which was available for review at this meeting. The order was picked up from the post office per the tracking number verification. Mr. Ager has the right to contest the order by requesting a hearing before the Air Quality Control Commission. The request must be filed within 30 days after the order was issued. That date would be May 15, 2016. If some positive action has not taken place by June 30, the matter could go to District Court. Clerk Ray noted that it could, not necessarily that it would. Routt County advertised for a request for proposal to develop a project design for asbestos abatement, which would include a cost estimate for the clean up. Funding for the clean up is still in question as the known possible funding source would require ownership of the property by one of the government entities. The next teleconference is scheduled for late May/early June dependent on what Mr. Ager does. In the meantime, Mr. Ager did provide insurance information and Bob Weiss is still pursuing that aspect; however, it still remains the belief that the insurance that was in place only covered the mortgage.

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### Wayfinding signage update

Clerk Ray reported that following the presentation of the wayfinding signage options in March, the options were posted at town hall and the post office and survey sheets were available for people to give their preferences and make comments. Clerk Ray said that she felt the return rate on the surveys was good and the surveys were sent to the students so they could continue preparing the plan. Clerk Ray said that the students would like to make a presentation to the Town Board and community members and the date that works for them is Monday, May 23. Board members said they could make 6:30 pm so the presenters would not be as late leaving to return to Denver or Grand Junction.

### Rabies Vaccination Clinic report

Clerk Ray reported that 46 town licenses were issued. Animal Control Officer DelValle also attended the clinic and issued 7 or 8 county licenses. Dr. Colburn did approximately 60 vaccinations.

### NEW BUSINESS

#### Consideration of Resolution No. 2016-05 – a resolution appointing the Town Clerk/Treasurer and Town Attorney in accordance with C.R.S. § 31-4-304 and the Municipal Judge in accordance with C.R.S. § 13-10-105 subsequent to the regular municipal election

Trustee Lewis moved to approve Resolution No. 2016-05 – a resolution appointing Janet L. Ray as the Town Clerk/Treasurer and Robert Weiss as Town Attorney in accordance with C.R.S. § 31-4-304 and Jessica A. Ryan as the Municipal Judge in accordance with C.R.S. § 13-10-105 subsequent to the regular municipal election. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

#### Appointment of Mayor Pro-Tem/Clerk

Trustee Drust moved to appoint Trustee Lewis as Mayor Pro-Tem. Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

#### Consideration of appointing Jeff Drust as the Town of Yampa representative to and proxy for the Bear River Reservoir meeting

Trustee Lewis moved to appoint Trustee Drust as the Town of Yampa representative to and proxy for the Bear River Reservoir meeting. Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

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### Consideration of Tom Estes thank you for years of service as Trustee and Mayor

Trustee Lewis moved to send Tom Estes a thank you for his many years of service as a trustee and as mayor. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

### Consideration of approval of John Dobell contract for Crossan's

Clerk Ray reported to the board that she had put consideration of this contract on the agenda before either she or Meg Tully with Historic Routt County (HRC) had had a chance to review it. There are some changes that are going to need to be made to the contract before it will be acceptable to the State Historic Fund (SHF) or Town of Yampa. Clerk Ray went over her questions and comments on the contract and also shared the changes that Ms. Tully said would need made to be acceptable to the SHF. Following discussion, Trustee Lewis moved to table approval of the John Dobell contract for Crossan's until a special meeting on May 11, 2016 or an alternate date if further time is needed to make the needed changes to the contract. Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

### Discussion and consideration of Crossan's builder's risk insurance

Friends of Crossan's Committee Vice President Noreen Moore was present to discuss her concerns with the Town Board as the governing body and her perceived lack of support for the Crossan project. She stated that she feels the Town Board is apologizing for the project rather than supporting it in discussions and that the unwillingness to fund any part of the project is not the correct attitude because ultimately, it is the Town that will benefit from the use of the building when it is completed. She said that she has heard from Clerk Ray on numerous occasions, that the Town Board had agreed to purchase the property over the concerns of some residents, but that the Town Board also stated that town funds would not go into the refurbishing of the building. It was noted that when the building is finished and in use, the ongoing maintenance of the building would be the Town's responsibility; that perhaps some of the organizations sharing the building will assist with expenses, but ultimately, the building will be the Town's responsibility.

Specifically, Ms. Moore went on to say that the builder's risk insurance was protecting the Town and therefore should be the Town's financial responsibility. Clerk Ray stated that no Crossan expenses were budgeted for 2016 because of the belief that until the building is habitable and in use, expenses would not be covered by town funds; She reiterated that she believes the builder's risk insurance is directly related to the rehabilitation of the building and not an ongoing expense. Clerk Ray did point out that the Town does have insurance coverage on the building as with all Town owned properties. Clerk Ray was asked where the funds would come from if the Town Board agreed to pay the builder's risk insurance premium? Clerk Ray said that funds from another line item would need to be used if

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justified or taken from reserves. Clerk Ray said that in her review of the budget in anticipation of the question, she thought that the Economic Development line item might be a possibility. She went on to explain that the work on the wayfinding signage had segued into the possible next step of a beautification plan for the town. Nancy Kramer, Northwest Colorado Cultural Heritage had said that quite often signage and beautification could work together as to funding opportunities. Clerk Ray said that she thinks a case can be made that completion and use of the Crossan building is also an economic benefit for the town and could take precedence over the beautification plan. Following discussion, Trustee Lewis moved to purchase the builder's risk insurance with the assurance that Friends of Crossan's would pay for it. Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

### Discussion and consideration of Beautification Plan

Clerk Ray shared the information from Chris Endreson that a downtown beautification plan might be the logical next step for continuing the momentum gained with the wayfinding signage plan and the other work that the Yampa Gateway group was doing. The estimated cost for a beautification plan would be \$3,600, so the Town's portion would be estimated at \$1,800. Clerk Ray reminded the town board that \$2,500 had been budgeted for flowers for the Yampa Gateway group and minutes from a 3/25/16 Yampa Gateway meeting indicated that those funds may not be needed for flowers and could be re-directed to the beautification plan. Following discussion, Trustee Lewis moved to approve preparation of the beautification plan by Colorado Center of Community Development students at an estimated cost of \$3,600 with the Town's matching funds, estimated at \$1,800, coming from the Economic Development line item. Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

### Consideration of participation in Routt County clean up day – May 21<sup>st</sup>, ie, adopt a highway program

Trustee Lewis moved to participate in Routt County's clean up day and the adopt a highway program by cleaning the Town's assigned two miles from mile marker 42.2 to 44.2 on May 21. Trustee Drust seconded the motion and the motion passed unanimously on voice vote. Clerk Ray asked for a volunteer to coordinate the clean up if she were unable to participate. Trustee French volunteered to do so.

### Consideration of Grand Slammers sign request

The board members discussed concerns that if one group were allowed to have a sign attached to the entrance signs, it could open the door to several other groups wanting to do the same thing. It would be hard to decide who could and who could not have signs placed there and could get out of hand and detract from the sign itself. Following discussion, Trustee Lewis moved to not allow placement of the Grand Slammers sign on the town's

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entrance sign. Trustee French seconded the motion and the motion passed unanimously on voice vote.

### Flower Barrels distribution & maintenance

Clerk Ray asked if the Town Board wanted flower barrels in the usual places if the previous volunteers would plant and maintain them. The consensus being yes. The following people have planted and maintained barrels in the past. Michelle Yackey - River Park, Cindy Wren - museum, Teri Lynch - Post Office, Library - barrels stay year round, Ken & Cindia Montgomery - County Road 7 and Nora Phillips Eric Berry and Janet Ray - Town Hall. Clerk Ray said she would check with Gateway Yampa and see what plans they may have.

### Consideration of thank you to Dr. John Colburn, Jeannine Jones, Sheridan & Penny Myer and Animal Control Officer Cindy DelValle for their work at the Town of Yampa rabies vaccination clinic

Trustee Mike Lewis moved to send thank yous to Dr. John Colburn, Jeannine Jones, Sheridan & Penny Myer and Animal Control Officer Cindy DelValle for their work at the Town of Yampa rabies vaccination clinic. Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

### Request to have town hall closed May 6

Clerk Ray explained that both she and Deputy Clerk Phillips had family events happening Friday, May 6. Clerk Ray stated that she had already okayed Deputy Clerk Phillips be gone. Clerk Ray's event is Regional High School Track where her granddaughter, who is a Senior, may be running her final high school track events. Following discussion, Trustee Lewis moved to have town hall closed on Friday, May 6. Trustee Drust seconded the motion and the motion passed unanimously on voice vote. Clerk Ray thanked the board for their consideration.

## PUBLIC WORKS DEPARTMENT

### Replacement of front tires on John Deere tractor

PWS Berry reported that he had replaced the front tires on the John Deere tractor.

### Huffstetler Trailer Park sewer line repair

PWS Berry reported that on April 23 the sewer line in Huffstetler Trailer Park was plugged. It was discovered that there were rocks in the line causing the problems and the blockage was eventually cleared.

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### On going work

PWS Berry said that Public Works Assistant Samuelson had been grading streets and replacing the divots that PWS Berry had plowed up during the winter. PWS Berry said he had continued work on the monitoring plan. Clerk Ray asked if the light for the flag pole at town hall had been changed. PWS Berry said that he did not have it fixed yet.

### 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 thanked Trustee Ashley for installing the new paper towel holder in the men's restroom. Clerk Ray reminded the board that the Royal Hotel commemorative sign that Northwest Colorado Cultural Heritage wanted to erect was scheduled for placement in May or June; however, Project Coordinator, Nancy Kramer, told her that they were behind schedule with that placement and no firm date is set. The Town signed off on the water and sewer and addressing on the Crossan building plans. This was the first electronic review and approval of plans. The Kennedy property closing has been moved to May 12 and that is when Evelyn Kennedy is scheduled to sign the paperwork for the donation of the property to the town where the Town's north entrance sign sets. Clerk Ray said both she and Deputy Clerk Phillips have been preparing for the audit.

### REPORTS OF COMMITTEES

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

FOC President Jeff Drust reported that the committee is working on the logistics of the Todd Mohr acoustic concert and Crossan's auction July 30. Work on satisfying the grant requirements so construction can resume continues.

#### 4<sup>th</sup> of July Committee

4<sup>th</sup> of July Committee Chair, Tom Yackey, reported that the committee held their second meeting and all aspects of the celebration are progressing. The fireworks are ordered and Ron Nielsen is doing what is required to bring in the fireworks. The next meeting will be May 31 and more volunteers are always welcome.

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### MEETING REPORTS

#### Museum & Heritage Fund Advisory Board (MAHFAB)

Trustee Lewis's written report was at board seats and in the audience packet. There were no questions.

#### Northwest Transportation Planning Region (NWTPR)

Clerk Ray reported on the meeting and passed around the handouts received.

#### Routt County Building Department Oversight Committee

Clerk Ray passed around the agenda from the oversight committee meeting which detailed the discussion for each agenda item. In addition, Clerk Ray reported that Chief Building Official Ben Grush is looking at a January 1, 2017, adoption date for the 2015 building codes. Summaries of the codes are becoming available for review and Clerk Ray said she would get them to the board members.

### SCHEDULE WORKSHOPS AND/OR SPECIAL MEETINGS

Trustee Lewis moved to schedule a special meeting for May 11, 2016, for consideration of approval of the Dobell contract on the Crossan's building and Trustee Ashley seconded the motion. The motion passed unanimously on voice vote. If other special meetings or workshops become necessary, Mayor Yackey will call them.

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

Mayor Yackey asked that consideration of approval to place a storage shed for 4<sup>th</sup> of July supplies on the west side of town hall within the fenced area be put on the agenda.

### READING OF CORRESPONDENCE AND REQUIRED ACTION IF ANY

Correspondence was circulated. None required action.

### REVIEW FINANCIALS (IN PACKET), APRIL METER READING REPORT AND APRIL INVOICES/VOUCHERS

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



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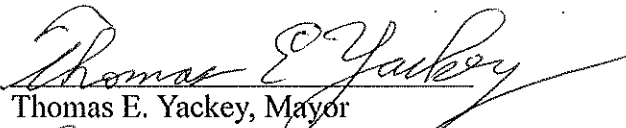
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READING AND PAYMENT OF BILLS

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.

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 10:31 pm.



Thomas E. Yackey, Mayor



Janet L. Ray, Town Clerk

October 5, 2016