

Town of Yampa September 5, 2018  
Regular meeting minutes

TOWN OF YAMPA  
SEPTEMBER 5, 2018  
YAMPA TOWN HALL

BOARD MEMBERS PRESENT: Mayor Robert 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

AUDIENCE PRESENT: Donna Corrigan, Peter Flint, Brittany & Travis Milway,  
Noreen Moore, and Tom Yackey

Call to Order

Mayor Symons called the meeting to order at 7:01 pm.

Roll Call

Board roll call was taken.

Approval of Minutes

Consideration of approval of July 11, 2018 regular meeting minutes and July 25, 2018  
special meeting minutes

Trustee Lewis moved to approve the July 11, 2018 regular meeting minutes and July 25,  
2018 special meeting minutes. Trustee Drust seconded the motion and the motion passed  
unanimously on voice vote.

Public Hearing – Wasinger Subdivision

Applicant Historic Yampa, LLC, Noreen Moore and Donna Corrigan were present to request  
approval of the subdivision of the property currently encompassing 50 and 70 Moffat Ave.,  
Yampa, Colorado, into three separate properties, Lots 1, 2 and 3. The subdivision request  
was previously heard by the Town of Yampa Planning Commission and approved with  
conditions on August 29, 2018. The Planning Commission approval and conditions were at  
Town Board seats tonight and had been sent to Ms. Moore earlier in the day. Ms. Moore had  
no disagreement with the conditions outlined in the Planning Commission approval.  
Mayor Symons reviewed the Planning Commission actions as follows: Commissioner

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Ashley moved for Planning Commission to recommend approval, with conditions, to the Town Board. Commissioner Lewis seconded the motion and the motion passed unanimously on roll call vote. The conditions are: Lots 1 and 2 share one water tap; but have separate curb stops so water can be shut off to each lot individually. The Town and each lot owner need an agreement that spells out that any maintenance between the main and curb stops will be shared by the lot owners. New water and sewer taps will need to be purchased for Lot 3, prior to development of the lot. There will be an easement agreement between Town of Yampa and owner of Lot 3 for use of the full width of Town of Yampa Parcel B (East to West) to 42 feet south of the North property line for access to Lot 3. There will be a snow plowing agreement between Town of Yampa and owners of Lots 1, 2 and 3 that states that Parcel B will be plowed by the Town only when the Town needs to access the south and east portions of Parcel B and it will be the responsibility of Lots 1, 2, and 3 property owners to plow the easement for access to Lots 1, 2, and 3 when the Town does not plow. *Trustee Ashley asked Ms. Moore and Ms. Corrigan if they had a snow storage plan. Ms. Corrigan said they were working on one and had consulted with the Oak Tree Inn. They do not have anything in writing currently.* The Town of Yampa and owners of Lots 1 and 2 will enter into an agreement for the Town to continue to use that portion of private property that runs East & West the width of Lots 1 and 2 from the northern edge of the current sidewalk to the northern boundary of the property for water and sewer mains and services. Town of Yampa will name the owners of Lots 1, 2 and 3 as additional insureds for access easement property. Owners of Lots 1 and 2 will name the Town of Yampa as additional insured for the private property that currently houses the town's water and sewer mains services. All legal documents shall be prepared by Town of Yampa attorney, Bob Weiss or if prepared by applicant's attorney, will be approved by Bob Weiss, prior to execution of the documents by the Town and final approval of the subdivision. All costs incurred prior to final approval of the subdivision will be the responsibility of the applicant, including all required recording fees of the final plat. *Ms. Corrigan stated that they would have their attorney, Mark Freirich prepare the documents, which Mr. Freirich will have Bob Weiss review.*

Mayor Symons called for questions and comments from the audience. Tom Yackey stated that he is in favor of approval of the subdivision. Mayor Symons asked if there were written comments to present? Clerk Ray said no written comments were received. Clerk Ray stated that she believes there should be one more condition that she failed to bring up to Planning Commission and that would be a no build zone on Lot 3 because of the irrigation ditch. Discussion followed that the no build zone should be 10 feet each side of the ditch. Mayor Symons asked for questions and comments from the town board. Mayor Symons questioned the language in the conditions, where Clerk Ray had used agreement rather than easement. Clerk Ray said that agreement could probably be changed to easement and that she thought the attorneys would use the correct legal language. Trustee Ashley moved to approve the Wasinger Subdivision with all conditions approved at the Planning Commission meeting and adding the condition of a no build zone, 10 feet each side of the irrigation ditch on Lot 3. Trustee Lewis seconded the motion and the motion passed unanimously on the following roll

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call vote: Symons – yes, Ashley – yes, Drust – yes, Lewis – yes and McLaughlin - yes. The no build zone will be shown on the plat. All conditions must be met prior to final subdivision approval.

Audience participation – Non-agenda items

None

Audience participation – Scheduled items

None

Old Business

Water system improvements update and consideration of any needed approvals

Clerk Ray reported that the access road construction is going well per Civil Design Consultants (CDC). CDC, along with Kelly Colfer of Western Bionomics have worked on an alignment that won't go through as much of the wetlands or will avoid them altogether. Property owner, Barbara Palmer, has walked the access road with Matt Mielke and has verbally approved the different alignment. Attorney Bob Weiss prepared a simple confirmation letter for the Town and Ms. Palmer to sign that allows the access road change. Clerk Ray said that she has not sent in the National Rural Water Association loan application yet. She spoke with Greg Winkler, Department of Local Affairs (DOLA) regarding her concerns with Tabor (Tax Payer Bill of Rights) as it relates to Yampa's grants and loans. Mr. Winkler recommended a meeting with Cynthia Thayer, DOLA, who works with budgets and audits and she and Clerk Ray will meet on September 11. After that meeting, Clerk Ray will report to the board about next steps.

Wastewater system improvements update and consideration of any needed approvals including D&D's proposal (in packet) and review of Stantec's updated revised letter and proposal (in packet)

The Board reviewed D & D's proposal for survey work on the wastewater treatment facility upgrades. The proposal includes a cost estimate of \$7,800 to \$8,000. Following review of the proposal, Trustee Lewis moved to accept D & D's proposal. Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

Discussion was held regarding the possibility of acquiring additional land at the wastewater plant. Both purchase and donation had been previously discussed. Clerk Ray said that if the Town is looking at a purchase, we need to make sure we have the funds to pay for it. It was reiterated that the Yampa Valley Ranch has been put on the market. She stated that she would communicate with Donna Corrigan, the listing agent for the property, to see what the

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Town needs to provide for the land owners to make a decision regarding purchase or donation of a small piece of the property south of the wastewater plant. The revised Stantec proposal was reviewed. Trustee Lewis moved to approve the revised proposal and Trustee McLaughlin seconded the motion. The motion passed unanimously on voice vote. Phase 1 – Scope of Services Exhibit A is \$95,921 and Phase 2 Scope of Services \$96,664. Clerk Ray noted that the budget did not change, the changes are within the scope of services.

Crossan's update and consideration of any needed approvals (if any), and Friends of Crossan's committee report

Trustee Drust reported that the elevator is installed. There will be a dedicated phone line associated with the elevator that people can call if they get stuck in the elevator. It will probably be the 970-638-1172 number. This Friday, Ken Montgomery will assist Yampa-Egeria Historical Society (YEHS) and Friends of Crossan's determine what items still in the storage garage might be original to Crossan's and what items may have come from another location. Following that review, a group will meet on Saturday to move more items from the storage garage to Crossan's and the YEHS storage sheds. Clerk Ray noted that Rita Herold told her that the display cases with the square corners are the more authentic pieces. The Certificate of Occupancy for the building was received.

Yampa Home Simple PUD update

Clerk Ray said that she had no update.

Stillwater Ditch and Reservoirs Co. (Gardner Park Reservoir) update

Clerk Ray explained that she had copied the updated information that Andi Schaffner had sent for the board to review. It is in both town board and audience packets. The group has not received a counter proposal from Upper Yampa Water Conservancy District.

Town Hall roof repairs

Linda Simpson from Leading Edge Claims Service did the roof inspection and turned in her report to the insurance company. The Town does have a \$2,500 deductible. Clerk Ray has communicated with John Salazar of JDS Roofing and he will get the repairs scheduled as soon as he can. The cost estimate for the work is \$2,730.86. The check received from Glatfelter for the wind damage claim was \$1,369.60. Ms. Simpson's review indicated that the cost of the repair would be \$3,869.60, thus the increased amount of the claim payment by the insurance company.

New Business

Consideration of approval of flag pole base at Crossan's Market property

Clerk Ray noted that when the American Legion donated the flag pole, it was just the pole and no base. Since that time, the Legion decided to put in a base. There was a drawing in town board and audience packets of what the base will look like. Trustee Drust laid a board at the site to denote the location of where the base would be around the pole. Trustee Lewis moved to approve the addition of the flagpole base, Trustee Drust seconded the motion and the motion passed on voice vote.

Consideration of renewal of Hotel & Restaurant liquor license for Antlers Café and Bar, LLC, DBA Antlers Café and Bar

Clerk Ray reported that the paperwork is in order except for the building lease. The current lease does not run as long as the liquor license and per law, it must not expire prior to the expiration date of the liquor license. Manager Kari Harden had explained that Dr. Hamlin, the property owner is currently out of town, but via email communication between Ms. Hardin and Dr. Hamlin, they said they would extend the lease to March 31, 2020. All other paperwork is in order, the Clerk is aware of no violations and the fees are paid. Trustee Lewis moved to approve the renewal of the Antlers Café and Bar, LLC, DBA Antlers Café and Bar Hotel and Restaurant liquor license, subject to receipt of the signed lease extension. Trustee McLaughlin seconded the motion and the motion passed unanimously on the following roll call vote: Ashley – yes, Drust – yes, Lewis – yes, McLaughlin – yes and Symons – yes.

Consideration of renewal of 3.2% Beer Off Premises (City) liquor license for G&G, LLC, DBA Yampa Sinclair

Clerk Ray reported that the paperwork is in order, the fees are paid and there are no violations to the Clerk's knowledge. Trustee Lewis moved to approve renewal of the 3.2% Beer Off Premises (City) liquor license for G & G, LLC, DBA Yampa Sinclair. Trustee Drust seconded the motion and the motion passed unanimously on the following roll call vote: Drust – yes, Lewis – yes, McLaughlin – yes, Symons – yes and Ashley – yes.

Request to consider research on instituting design criteria for portions of Moffat Avenue

Noreen Moore and others were present to ask the town board to consider research on instituting design criteria for portions of Moffat Avenue and possibly Main. This is an effort to retain a western façade that would blend in with the double wide Moffat Avenue and showcase the western flavor of the town. Ms. Moore said she has looked at a few other locations such as Ridgeway, Colorado who has a historic corridor and Kremmling who has used false fronts to achieve the western theme. She also pointed out Buena Vista as a

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location that is honoring their western heritage. Clerk Ray said there will need to be a decision made as to whether the request is for voluntary compliance with design guidelines only or if they want the guidelines to be enforceable through town laws and regulations. Peter Flint stated that where he lived before, it was better that the guidelines were enforceable as it alleviated disagreements over what could and could not be done and it was not negotiable. Jeff Drust spoke to the fact that he believes that guidelines would be good and they need to be enforceable. Ms. Moore said that tonight the group is looking for a vote of confidence so they will feel that further research will not be a waste of time. Trustee Lewis moved to approve further research on design guidelines for a portion of Moffat and a portion of Main – the commercial corridor. Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

Consideration of Resolution 2018-07 – A resolution by the Board of Trustees of the Town of Yampa of the County of Routt and State of Colorado authorizing participation in the Rural Jump-Start Program on September 5, 2018

Clerk Ray explained that John Bristol with the Steamboat Chamber brought the concept of the Rural Jump-Start Zone to her for consideration by the Yampa Town Board. The Town of Hayden was already working on the program, but the departure of Smartwool in Steamboat Springs, opened up the program to the remainder of the county. The program is a tax relief program for new businesses and new hires who locate into certain designated areas called Jump-Start zones. The program offers relief from state income taxes for the new business, relief from the state sales & use tax for the business, relief from county and municipal business personal property tax and relief from state income taxes for the employee. The tax relief is limited by statute to eight years for each new business and no new businesses may be added to the program after December 31, 2020. Clerk Ray said that she did not know if Yampa would benefit from the program, but if the town does not participate, then it definitely cannot benefit from the program. Following discussion, Trustee Lewis moved to approve Resolution 2018-07, a resolution by the Board of Trustees of the Town of Yampa of the County of Routt and State of Colorado authorizing participation in the Rural Jump-Start Program on September 5, 2018. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

Finalize approval of donated preschool playground equipment

Clerk Ray reported that she had sent pictures to the town's insurance company of the equipment and they are fine with the town using the equipment. The insurance company also sent information regarding currently approved ground surface material. It was noted that the town needs to bring the surface material under the existing playground equipment in the Snowden Park up to currently approved ground cover as well. Following discussion, Trustee Lewis moved to accept the donated preschool equipment and relocate it to Snowden Park and to bring the ground surface material to currently approved standards for both the

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existing equipment and the new equipment. Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

Consideration of Town Clerk vacation request 9/18/18 through 9/24/18

Trustee Lewis moved to approve the Town Clerk's vacation request of September 18, 2018 through September 24, 2018. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

Public Works Department

Trustee Ashley asked if the pictures had been taken of the International truck for Trustee McLaughlin to share with her boss to help determine value. Trustee McLaughlin said she has not received any photos.

Clerk's review of possible code violations (if any) and required action (if any) and report of on-going business

Code violations

Clerk Ray said she has received no new code violations and has not done the follow up on the code violations already addressed.

Ongoing work

Clerk Ray said that work on the access road to the water treatment facility has taken most of the time and she has no update on anything else.

Reports of Committees

None

Meeting Reports

Clerk Ray did not have reports ready for either the Northwest Transportation Planning Region (NWTPR) meeting nor the visit from Colorado Housing Finance Association, Department of Local Affairs, Division of Local Government & Division of Housing so they will be given at a later date.

Schedule Workshops and/or Special Meetings

There will be a special meeting September 12, 2018 for the auditor to give the audit presentation and for the town board to consider acceptance of the audit.

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Members and audience requests for agenda items for next meeting

Discussion was held regarding the continual potholes in Main Street and what can be done to alleviate the situation. One option would be a ballot question to see if people are willing to pay to redo the road. The town board will take up this matter in early 2019 for further discussion and action.

Reading of Correspondence and required action if any

Correspondence was circulated for review. Violation notices were received from Colorado Department of Public Health and Environment but follow up will need to happen with PWS Berry when he returns from his vacation as Clerk Ray did not know if he had responded to CDPHE. No other correspondence required board action.

Review July and August financials, July and August meter reading reports and August invoices/vouchers

July and August financials were in town board and audience packets for review. The July and August meter reading reports were circulated for review and the August 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.

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 9:56 pm.

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Robert A. Symons, Mayor

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Janet L. Ray, Town Clerk

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March 6, 2019