

**RECORD OF PROCEEDINGS**

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TOWN OF YAMPA  
OCTOBER 5, 2016  
YAMPA TOWN HALL

BOARD MEMBERS PRESENT: Mayor Tom Yackey, Mayor Pro-Tem Mike Lewis, Trustees Brian Ashley (arrived at 7:10 pm), 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: Rajiv Singh Bajwa, Tim Corrigan, Kristi Schalnus and Rasphal Singh

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 May 4, 2016 regular meeting minutes and May 11, 2016 special meeting minutes

Trustee Lewis moved to approve the May 4, 2016 regular meeting minutes and May 11, 2016 special meeting minutes; Trustee French moved to second the motion and the motion passed unanimously on voice vote.

AUDIENCE PARTICIPATION – NON-AGENDA ITEMS

None

AUDIENCE PARTICIPATION – SCHEDULED ITEMS

None

## RECORD OF PROCEEDINGS

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### PUBLIC HEARING

G & G, LLC dba Yampa Sinclair transfer of ownership of 3.2 Percent Beer Off Premises (City) license from Kum & Go, LC dba Kum & Go #900 to sell 3.2 Percent Beer and Consideration of approval of transfer of ownership of 3.2 Percent Beer Off Premises (City) license from Kum & Go, LC dba Kum & Go #900 to G & G, LLC dba Yampa Sinclair

Clerk Ray reported that to her knowledge the paperwork has all been received and is in order except for the fingerprint reports from the Colorado Bureau of Investigation (CBI) and the Federal Bureau of Investigation (FBI). Those reports take a long time to be returned from the 2 agencies and historically the Town Board has considered approval contingent on satisfactory reports from the 2 agencies when they are received. The required fees were paid. Trustee Ashley asked if this license is just for the gas station/convenience store or if the restaurant were to be reopened if the license could be used there as well. Clerk Ray clarified that this license is a 3.2% beer license where the beer can only be sold in sealed containers for consumption off premises, so no, it could not be used in a restaurant. Hearing no further questions, Mayor Yackey called for a motion. Trustee Lewis moved that the transfer of ownership of the 3.2% beer (off-premises) license from Kum & Go, LC dba Kum & Go #900 to G & G, LLC dba Yampa Sinclair be approved on the condition that the CBI & FBI fingerprint reports, when received, contain no reports of criminal activity. Trustee Drust seconded the motion and the motion passed unanimously on the following roll call vote: Yackey – yes, Ashley – yes, Drust – yes, French – yes and Lewis – yes.

### OLD BUSINESS

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

Clerk Ray noted a change on the project update provided by Civil Design Consultants (CDC). The Duckels pay request on page 2 should read: completed to date \$2,294,942 rather than \$2,299,452; retainage should be \$114,922 rather than \$115,148 and current pay request should be \$114,303.24 rather than \$118,587.74. Minutes from the September 13 construction meeting were in board and audience packets for review. Mayor Yackey noted that the tank location is looking good. PWS Berry said that they are almost finished at the tank sight. The hatches are on, the tank is full, and the bacti test was done and passed. The chlorine analyzer was installed today. The radio is working between town hall and the chlorine analyzer, but there are some problems with the radio between town hall and the control valve vault. There are a couple of spruce trees blocking reception so antennas may need moved. Clerk Ray reported that the line extension agreement with Yampa Valley Electric Association (YVEA) is fully executed and the Town's request for connection was completed and sent to YVEA, which should be the last piece they need before doing the work. Attorney Weiss made the latest changes to the Palmer agreements and sent them to Barbara Palmer on September 23. On September 15 there was a teleconference call with

## RECORD OF PROCEEDINGS

---

Paul Young of Colorado Department of Public Health and Environment (CDPHE), Greg Winkler, Department of Local Affairs (DOLA), Randy Sackett and Clerk Ray. Mr. Young was representing Randi Johnson who was on vacation. The purpose of the conference call was to discuss using some of the Small Communities Grant (SCG) funding to cover the overage on the cost of the water treatment facilities improvements. Board members may recall that bids came in higher than anticipated on the improvements. An amendment to the SCG is now in the works. The amendment, if approved, will move funds from the transmission line to the water treatment facilities improvements. An extension to the DOLA Energy Impact Assistance Fund grant from December 31, 2016 to June 30, 2017 was requested and approved. Mayor Yackey signed the extension agreement and it was returned to the State on October 3<sup>rd</sup> for completion of the agreement. Trustee Lewis moved to approve Duckels' pay request #14, Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

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

Clerk Ray reported that there will be a pre-application meeting tomorrow for the wastewater SCG. It is a pre-requisite to the contract. The draft Statement of Work (SOW) is completed. The pre-application meeting will cover the Disadvantaged Communities (DAC) status, financial feasibility, compliance issues and Preliminary Effluent Limits (PELs) request.

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

Commissioner Corrigan reported that Routt County Environmental Health is working on a Request for Proposal (RFP) to get estimates from contractors to perform the actual clean up. The site plan was approved by CDPHE, but the open air exemption has not yet been confirmed by CDPHE. Commissioner Corrigan said it could be December or January before the RFP is out and estimates are received back. There is a meeting of the Brownfields unit of CDPHE in October that he would like to take the request for funding to for preliminary review, although the Brownfields unit would not be able to approve a request as they would not have all of the information they would need. The county still thinks they may be looking as high as \$150,000 for the clean up and he noted that the Brownfields unit only has \$250,000 in funding and he does not know what other projects they are looking at. The county is definitely looking at grant funding for the clean up because the county does not have the funding to pay for the clean up anymore than Yampa does.

### Crossan's update and consideration of any needed approvals

Clerk Ray reported there was information at the Board seats this evening which included the pay request and back up, schedule of values and construction schedule. There was an Owner/Architect/Contractor (OAC) meeting on September 26<sup>th</sup>. The water/sewer taps are done and they are ready to do the framing. Painting could begin in 3 weeks. Meg Tully will coordinate a visit with Anne McCleave from the State Historical Society for early November.

## RECORD OF PROCEEDINGS

---

Commissioner Corrigan told the Board that because of his involvement with the Friends of Crossan's (FOC) Committee and his role as county commissioner he has a great interest in the success of the Crossan project. He said he had reviewed the contractor/town contract, State Historic Fund (SHF) documents and DOLA documents and he is comfortable with the dollars and that the project can be completed on budget, but he has a concern about whether the project can complete on schedule. Because of his previous experience in the construction industry, he would like to offer the town his services as the Ad Hoc construction manager, at no cost. Noreen Moore, Vice President of FOC, encouraged the town board to take Commissioner Corrigan up on his offer. Following discussion by the town board, Trustee Ashley moved to appoint Tim Corrigan as the Town's construction representative on the Crossan project, Trustee Lewis seconded the motion and the motion passed unanimously on voice vote. Trustee Lewis moved to approve Dobell's invoice #5556 in the amount of \$14,275.98, Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

### NEW BUSINESS

#### Confirmation of approval to set up account with Amerigas for the purchase of propane

Trustee Lewis moved to approve establishing an account with Amerigas for the purchase of propane, Trustee Drust seconded the motion and the motion passed unanimously on voice vote. It was noted that this is for propane for the tank at the water treatment facility. The town owns the tank so propane can be purchased from the company with the best price.

#### Consideration of thank you to Edith Chapter No. 61, O.E.S. for purchase of storage shed for 4<sup>th</sup> of July paraphernalia

Trustee Lewis moved to send a thank you to Edith Chapter No. 61, Order of the Eastern Star for their purchase of the storage shed for the 4<sup>th</sup> of July paraphernalia, Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

#### Consideration of renewal of health insurance coverage

Clerk Ray explained that the renewal information for the health insurance was received and the premiums for the plan that the town has are lower than last year. Insurance agent Darrow Stemple explained that the premiums were lowered for the entire service area. Following Board discussion, Trustee Lewis moved to renew the Town's health insurance coverage with Rocky Mountain Health Insurance, RMR HMO Gold 500/80 - \$35, Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

## RECORD OF PROCEEDINGS

---

### PUBLIC WORKS DEPARTMENT

#### Sewer line replacement at Nick & Audra Rettedal's – 479 Main

PWS Berry reported that the sewer service line was replaced to the main in the alley.

#### Water hydrant installation at South Routt Elementary south meter pit

PWS Berry reported that a water hydrant was installed at South Routt Elementary to service the school garden. PWS Berry noted that the new service has a cross connection control that will prevent contamination of the water system.

#### On going business

PWS Berry said he had been working on paperwork needed for the Water Treatment Facility. Public Works Assistant (PWA) Samuelson has been cutting grass and grading streets in preparation for winter. PWS Berry said he has been preparing the coal bins for coal delivery.

### 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 attended a liquor licensing class in Craig because there have been some changes to the laws and she needed a refresher course on liquor licensing in general. Clerk Ray said that researching a different heat source and funding for the heat source for the Town Hall/Fire Station would move to 2017. Clerk Ray asked if any town board members had had an opportunity to spend any time looking at the proposed building codes that are available online at the Routt County website? The answer being no. Chief Building Official Ben Grush is willing to attend a workshop to go over changes with the town board and audience if the town board wants. The county is still looking at adoption by the first of the year. The Board agreed they would like Mr. Grush to come for a workshop. Regarding a beautification plan, Clerk Ray said she received ideas from the Gateway Yampa group and Trustee Drust. She has not communicated the ideas to Chris Endreson, Colorado Center for Community Development (CCCD) due to a lack of time, but will do so as soon as possible. The November election is a mail ballot and ballots should go in the mail by October 17. Yampa town hall will be a ballot drop off location for the election. Clerk Ray said she needs to do the paperwork soon to move forward with using the Source Water Protection Plan (SWPP) monies as deadlines are approaching. Clerk Ray said she has been

## **RECORD OF PROCEEDINGS**

---

spending quite a bit of time on the problems caused by residential address differences and zoning questions.

### REPORTS OF COMMITTEES

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

FOC President Jeff Drust said there has been discussion regarding framing in the stairwell and whether to do now or next phase, no decision reached yet. Also, it is time to get the bunny bread sign off the wall and out of the building.

### MEETING REPORTS

#### Yampa/White/Green Basin Roundtable

Trustee Drust reported that the Interbasin Compact Committee (IBCC) is working on financing and the shortfall caused by the severance tax reduction. The Public Education Participation Outreach (PEPO) Committee is updating the basin's action plan. Water projects were presented. Erin Light, Department of Water Resources (DWR) Division 6 reported on the call on Elk River and the white fish migration. Water Supply Reserve Account (WSRA) criteria and guidelines revisions and update were discussed.

### SCHEDULE WORKSHOPS AND/OR SPECIAL MEETINGS

Clerk Ray reported that there will probably be a need for workshops, but none were scheduled at this time due to not knowing what topics will need covered when. Mayor Yackey will schedule when more information is available.

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

None

### READING OF CORRESPONDENCE AND REQUIRED ACTION IF ANY

Correspondence was circulated for review; none required action.

### REVIEW FINANCIALS, METER READING REPORT AND SEPTEMBER INVOICES WITH COMPLETED VOUCHERS

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

**RECORD OF PROCEEDINGS**

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READING AND PAYMENT OF BILLS

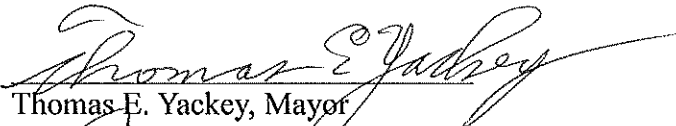
Clerk Ray read the bills. Trustee Lewis moved to pay the bills, Trustee French seconded the motion and the motion passed unanimously on voice vote.

ADJOURNMENT OF REGULAR MEETING

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 9:12 pm.

CONSIDERATION OF EXECUTIVE SESSION – INFILTRATION GALLERY PROPERTY

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 – George offer dated September 30, 2016, Trustee Ashley seconded the motion and the motion passed unanimously on voice vote. Executive session began at 9:14 pm. Those present during the executive session included the Town Board, Clerk Ray and PWS Berry. No minutes or formal actions were taken during the executive session and Mayor Yackey stated that no decisions were made. Executive session ended at 10:05 pm.

  
Thomas E. Yackey, Mayor

  
Janet L. Ray, Town Clerk

March 1, 2017