

RICO TOWN BOARD MINUTES

February 20, 2019

The Regular Town Board meeting was called to order at 7:00 p.m. by Mayor Zach McManus.

Members Present. Zach McManus, Sophia Kyriakakis, Nicole Pieterse, Stephan Roberts and Genevieve Yellowman. Absent/Excused was Barbara Betts.

Staff Present. Kari Distefano and Linda Yellowman.

Guests Present. Allyn Svoboda.

Approval of the Agenda. The agenda for February 20, 2019 was presented for approval. Town Manager Kari Distefano would like to remove item 2 and 3 under Action Items. Add Trail Easement to Action Items. Zach McManus made a motion to approve the agenda for February 20, 2019 as amended and seconded by Genevieve Yellowman. The motion passed unanimously.

Approval of the Minutes. The Rico Town Board minutes for January 16, 2019 were presented for approval. Nicole Pieterse made a motion to approve the minutes as submitted. Genevieve Yellowman seconded the motion. The motion passed unanimously.

Consent Agenda:

Approval of the Monthly Bills. The Monthly bills for February 2019 were submitted for approval. Genevieve Yellowman made a motion to approve paying the Monthly Bills for February 2019 as presented. Sophia Kyriakakis seconded the motion. The motion passed unanimously.

Citizens Communication. Allyn Svoboda commented on the manager's report in regards to the solar update with San Miguel Power Association.

Town Clerk. None.

Public Works. Staff is busy with snow removal.

Water Consultant. None.

Parks & Recreation. Mr. McManus gave an update on the trails and the ice rink. Ice rink will be open a little longer. Grooming is going okay.

Town Board Reports. None.

Geothermal Committee. None.

Town Manager's Report. Solar Update. Kari Distefano reports that a meeting was held with Paul Hora/SMPA and Ben Jason/Living Solar a possibility of a solar array on the Gazebo property as a good location. It gets consistent sun and connecting to SMPA power lines is doable. Unfortunately the ability of San Miguel Power Assn to increase solar power use is at the mercy of their contract with Tri-State, which places a 5% cap on SMPA's solar development. SMPA is at

the 5% now and is in the process of trying to up the cap to 10%. Paul Hora thinks that they should know within the next six months whether or not that attempt will be successful.

VCUP Update. A meeting was held on January 31, 2019 with representatives from BP, Atlantic Richfield and Colorado Department Health & Environment in an effort to make progress on a simpler VCUP arrangement. In general, all parties are in agreement with the table we generated after the last meeting, there are still a multitude of details to be resolved and including- a sampling program to be complete by BP/Atlantic Richfield. The approach and text for institutional controls program, including a new town ordinance. How the work required by the IC program will be carried out. How BP/Atlantic Richfield will fund oversight and enforcement of the IC program. A plan to remediate lead soils in town streets and rights of way and the long-term maintenance of that plan. We had a productive discussions with BP/Atlantic Richfield and plan to continue those discussions with a goal of resolving these issues over the near term.

Town Manager Kari Distefano requested an executive session with Tom Bloomfield by phone. Zach McManus made a motion to go into executive session CRS 24-6-402 (4)(f). Seconded by Genevieve Yellowman. Motion passed unanimously. Out of executive session, motion was made by Zach McManus and seconded by Nicole Pieterse. Motion passed unanimously. The regular meeting was called back to order.

Action Items.

2nd Reading of an Ordinance to Amend the Town of Rico Budget for 2018. Nicole Pieterse made a motion to approve the 2nd Reading of an Ordinance to Amend the Town Budget for 2018 as submitted. Stephen Roberts seconded the motion. The motion passed unanimously.

Acceptance of the Resignation of Keith Lindauer from the Rico Board of Trustees. Nicole Pieterse made a motion to accept the resignation from Keith Lindauer. Seconded by Zach McManus. The motion passed unanimously. Town Clerk Linda Yellowman says a notice will be posted for a vacancy and the Board can act on it at the next regular meeting in March.

Recreational Trail Easement. The Town has been in negotiations with Mike Popek, the owner of the property south of Rico for a trail easement agreement along the old Rio Grande Southern railroad right-of-way. Zach McManus made a motion to accept the Recreational Trail Easement. Seconded by Sophia Kyriakakis. The motion passed unanimously.

Resolution to Support HB 1113, Concerning the Protection of Water Quality from Adverse Impacts Caused by Mineral Mining. This bill proposes three changes to the Colorado Mined Land Reclamation Act: It will eliminate corporate self-bonds for hardrock mines. It will increase the state's authority to require bonds that cover water treatment costs in addition to land reclamation. It will require future mines to provide an end date for water quality restoration after mining is done, which is intended to prevent new mines from requiring perpetual water treatment. Nicole Pieterse made a motion to approve the Resolution to Support HB 1113, Concerning the Protection of Water Quality from Adverse Impacts Caused by Mineral Mining. Stephan Roberts seconded the motion. The motion passed unanimously.

Contract with Choice of Contractor to Perform the Town Hall Restroom Remodel. Kari Distefano reports both bids on the remodel of the Town Hall restroom and the proposals for the economic development analysis are due Friday, February 15th at 5:00 PM. We have not had an opportunity to evaluate the bids and the proposals. Staff is expecting to have recommendations and contracts by Tuesday or Wednesday. Town Manager recommends Mike Dougherty and Sparks Plumbing.

Zach McManus made a motion to accept Town Manager Kari Distefano's recommendation. Seconded by Genevieve Yellowman. The motion passed unanimously.

Discussion Items.

The Pros and Cons of Amending the Business License Ordinance to Include Providers of Services. As requested at the last meeting, staff talked to Erin Neer about the pros and cons of requiring business licenses for services as well as retail operations and food, beverage and lodging businesses. Mrs. Neer reiterated what we had already discussed. On the con side, there is really no money for the Town in business licenses unless the Town wanted to charge so much that the cost would likely discourage people from starting businesses

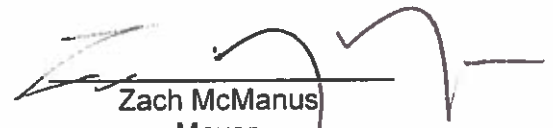
The pro side would be that the Town would have more control over businesses that we felt were operating contrary to the best interests of the community. If the Town were to institute a business license program that would come with regulations, we would have to determine what types of behavior that we want to regulate. This would be a process. The town manager thinks that we are better off dealing with these issues with the revised Land Use Code

Logos. Mayor Zach McManus presented some logos and asked the Board to choose which logo they would like. Logo was chosen.

Adjournment.

Zach McManus made a motion to adjourn the meeting at 8:30 pm. Seconded by Nicole Pieterse. The motion passed unanimously.


Linda Yellowman
Rico Town Clerk


Zach McManus
Mayor