

Town of Rico Memorandum

Date: June 5th, 2019

TO: Town of Rico Board of Trustees
FROM: Kari Distefano
SUBJECT: Town Manager's Report

1. Authorizing Town Attorney Carol Viner as the signatory on the Steve Lynton and ACFH Properties, LLC quiet title action

There is an old shed on that is partially on Steve Lynton's property at 23 North Silver Street and partially in the Town right-of-way. Our Parks and Recreation Department was using it for storage. Mr. Lynton is selling the property and the new owner would like to tear down the shed. Zach cleared the park's equipment out of the shed and has talked to the new owner and agreed to let him tear it down. The Trustees need to approve Carol Viner as a signatory on the quiet title action, which states that the Town has no interest in the property. A copy of the court document is included in this packet.

2. Approval of a grant and loan application to the USDA for funding for a Central Sewer System in the Commercial Core

On May 22nd, I had a meeting with Patrick Rondinelli with the Department of Local Affairs and Duane Dale from the U.S.D.A. regarding funding for a central sewer system. There is a strong possibility that we would get some funding, perhaps as much as \$1,000,000 from the Department of Local Affairs. U.S.D.A. help would come in the form of a loan/grant package. Duane Dale was unable to tell me how much of the funding would be in grants. The issue is that the Colorado State Revolving Fund offers a lower interest rate for a loan, 0.5% as opposed to the U.S.D.A. offer of 3.25%. The only way to determine whether or not the grant funding that the U.S.D.A. is prepared to offer will more than offset the additional cost of the loan is to go through the application process and see what the U.S.D.A. can offer. Apparently they do have funds. To complete the grant application, I have to get approval from the Rico Board of Trustees. The Resolution approving the application is included in the packet.

DISTRICT COURT, DOLORES COUNTY, STATE OF COLORADO 409 N. Main St., POB 511 Dove Creek, CO 81324 970-677-2258	
Plaintiffs: STEVE LYNTON and ACFH Properties LLC, a Colorado limited liability company v. Defendants: The HEIRS OR DEVISEES OF JOHN R. BROWN, the HEIRS OR DEVISEES OF W. T. LAMBERT, DOLORES COUNTY, the RICO ARGENTINE MINING COMPANY, JANIE STAISNY in her official capacity as DOLORES COUNTY TREASURER, the TOWN OF RICO, and ALL UNKNOWN PERSONS WHO CLAIM ANY INTEREST IN THE SUBJECT MATTER OF THIS ACTION.	▲ COURT USE ONLY ▲
Attorney: Erin J. Johnson Erin Johnson Attorney at Law LLC PO Box 189 Rico, CO 81332 Phone Number: 303-588-2695 Email: erin@fone.net Colo Reg #24618	Case No.: 2019CV30003 Division: Courtroom:
DISCLAIMER UNDER RULE 105(c), C.R.C.P.	

Defendant, Town of Rico, by Carol A. Viner as the Rico Town Attorney, disclaims any right, title, or interest in the real property described in the Complaint in this action.

WHEREFORE, this Defendant requests that it may go without costs pursuant to C.R.S. § 13-32-101(e).

 Masters & Viner, PC

By: _____
 Carol A. Viner

Attorney for Town of Rico

Defendant's Address:

Rico Town Attorney
Masters & Viner PC
152 Colorado Ave
Montrose, CO 81401

RESOLUTION 2019-02

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF RICO APPROVING THE LETTER OF INTENT TO MEET THE CONDITIONS OF U.S.D.A. RURAL DEVELOPMENT FEDERAL FUNDING FOR RICO COMMUNITY WASTE WATER SYSTEM

WHEREAS, The Board of Trustees finds that construction of a centralized waste water treatment system will promote the health, safety and general welfare of the Rico community; and

WHEREAS, the Board of Trustees desires to receive state and federal financing to defray the cost of constructing centralized waste water, including financing from U.S.D.A Rural Development;

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO THE FOLLOWING:

The Board of Trustees for the Town of Rico hereby approves, authorizes and directs the Mayor, Mayor Pro-Tem, or another authorized representative of the Town of Rico to execute the Request for Obligation of Funds and the Letter of Intent to meet conditions as required by U.S.D.A Rural Development.

ADOPTED this 12th day of June, 2019, by the Board of Trustees for the Town of Rico

Zachary McManus, Mayor

Attest:

Linda Yellowman, Town Clerk